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SELECTED MILITARY INFORMATION

ON EASTERN EUROPE (15)

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INTRODUCTION

This is a series publication containing translations of items of military interest from various publications of the Eastern European countries. This report contains translations on the subjects listed in the table of contents, arranged alphabetically by country.

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## LAW ON INCOME SECURITY FOR CZECHOSLOVAK DEFENSE WORKERS

[Following is the translation of a law from Sbirka zakonu (Compilation of Laws), Part 21, Prague, 29 May 1961, pp 141-143.]

Announcement of the Central Council of Labor Sectors and the State Department of Social Security, 28 April 1961, regarding certain hospital insurance and income security benefits to be provided for those citizens who participate in preparation for the defense of the Czechoslovak Socialist Republic.

The Central Council of Labor Sectors and the State Department of Social Security define the following regulations in accordance with Section 2, Paragraph 3, letter c) and Section 9 of Statute No 54/1956 volume, regarding Employees' Hospital Insurance in accordance with Section 3, Paragraph 3, letter c) and Section 32 of Statute No 55/1956 volume regarding Social Security.

### Section 1

Citizens who participate in preparation for the defense of the Czechoslovak Socialist Republic (hereafter referred to as "participants"), will be provided with hospital insurance benefits and income security in the extent and under the conditions which are outlined in the following regulations of this notice; where no differences will arise, the general rules of hospital insurance and security of income will be valid in providing such benefits for the employees.

### Section 2

Preparation for the defense of the Czechoslovak Socialist Republic, (hereafter referred to as "preparation"), includes military and physical training, sanitation, Civil Defense and other essential preparations, it is organized by voluntary organizations: the Union of Cooperation with the Armed Forces, Czechoslovak Union of Physical Education, Czechoslovak Red Cross, Czechoslovak Union of Fire Protection, and by various state authorities, schools, agricultural, and other organizations.

Participation in the preparation will be considered only as participation in such an action which has been designated, organized, and executed.

### Section 3

For participants in the preparation, the following benefits are provided:

1. Preventive and medical care in accordance with regulations issued for this purpose. (Section 7, Paragraph 1 letters d) and e) of Medical Order (Notice No 164/1958, U.1.).
2. Hospital insurance benefits include health-resort, hospital and burial expense in the extent and under the conditions outlined in Section No 4.
3. Under income security benefits are provided according to regulations in Sections 34, 35, 37 and 38 of the Statute No 41/1958 vol and Statute No 17/1959 vol, (hereafter referred to only as "Social Security Law"). (Section No 30 Paragraph 3 of the Statute No 40/1961 vol, regarding the defense of the Czechoslovak Socialist Republic).

### Section 4

Health-resort, medical and burial expense benefits, according to this announcement, are provided if a bodily injury, sickness or death occurred while participating in preparation or if illness was caused by the work; a direct connection of illness with participation in this preparation will be determined by a Medical Advisory Commission. ([Note:] Medical Advisory Commission at the District Sanitary Center, according to point IV/11 of the Instructions for Activity in Sanitary establishments, issued under Order No 3/1957 vol of instructions for the executive authorities of the State Committees).

The participants will be periodically provided health-resort benefits in accordance with the rules pertaining to employees.

A participant is entitled to medical insurance benefits during a working disability period resulting from an accident or illness sustained while participating in preparation or in a directly connected occupation. Insurance is provided for the time in which the participant, due to this disability, is unable to earn his livelihood when his living expenses are, in effect, increased for the same reason. In case of work disability caused by sickness, the benefits are provided starting on the eighth day and in case of work disability caused by an accident on the job, they begin immediately, on the first day. The disability benefit period coincides with the beginning of the working disability. (Section 15, Paragraph 3 to 5 of the Statute No 54/1956 vol about the Employees' Hospital Insurance).

Medical insurance benefits are provided for working days only; they amount to 16 Kcs (Korun ceskoslovenskych) per working day.

The survivors of a deceased participant are entitled to burial expense benefits, as are the survivors of an employee.

### Section 5

If a participant is entitled, under another hospital insurance

plan to benefits or coverage identical to those mentioned in Section 4 this claim remains unaffected in case of additional benefits or coverage, and the benefits defined in Section 4 are then not applicable; if such a participant sustains an injury in preparation or in direct connection with it (occupational disease), this disability will be considered for medical insurance purposes as an industrial injury for which he is otherwise insured.

#### Section 6

If a participant in preparation becomes disabled or partially disabled due to an accident or sickness which resulted from his performing the duties connected with the designated program of the preparation, he is entitled to disability compensation or partial disability compensation in the amount set forth in accordance with Section No 35 of the Social Security Law.

If a participant in preparation becomes disabled or partially disabled due to an accident or sickness which occurred in a direct connection with participation in preparation, but under other circumstances than those mentioned in the first paragraph, he is entitled to disability compensation or partial disability compensation in the amount set forth in accordance with Section No 35 of the Social Security Law.

If a participant dies from an accident or sickness caused by the preparation or direct connection with it, the survivors are entitled to benefits in accordance with Sections Nos 20 to 25 of the Social Security Law, assessed according to the previously outlined compensation to which the participant would be entitled. The same rule applies to the survivors of a recipient of compensation provided in accordance with previous paragraphs.

#### Section 7

No insurance premium will be paid to reimburse the expenses incurred in connection with executing the regulations set forth in this announcement.

#### Section 8

Every participant who sustained bodily injury or illness during the preparation or in direct connection with it must immediately notify the unit which organized the preparation; the same rule applies to the survivors of a deceased participant.

The unit which organizes preparation is required to cooperate in investigations which are important in determining the validity of a claim under the regulations of this announcement, and must issue a statement confirming the findings of such investigations. The unit is also required to report the accident or occupational disease no later than eight days after the completion of investigations by the social security section of the appropriate State District Committee. This report should be accompanied by a detailed description.

Participants who are insured under the rules of hospital insurance for employees should maintain their claims for hospital insurance benefits with those authorities who handle their insurance. The other participants should maintain their claims with their District Labor Sectors' Council. If they reside within the territory of Prague, they should maintain their claims with the Prague Labor Sector Council.

#### Section 9

The Notice No 11/1952 vol, defining the details concerning the protection of military training participants in case of accident or illness, is herewith cancelled.

Starting on the day that this announcement goes into effect, the regulations of the Notice No 238/1957 vol, concerning the members of the Civil Defense and dealing with the hospital insurance and income security for voluntary firemen, members of the Civil Defense, members of the Czechoslovak Red Cross, blood donors, members of the Mountain Guard, and social workers are no longer in force.

#### Section 10

This announcement becomes effective as of 2 May 1961.

NEW SERVICE REGULATIONS OF THE ARMED  
FORCES OF CZECHOSLOVAKIA

[Following is the translation of an article by Deputy  
Minister of National Defense Vladimír Janko in  
Obrana Lidu (People's Defense), Prague, 9 June 1961,  
pages 4-5.]

Just now the armed forces units are receiving the Internal Service Regulations of the Armed Forces of the Czechoslovak Socialist Republic and the Disciplinary Regulations of the Armed Forces of the Czechoslovak Socialist Republic which were approved by the Central Committee of the Communist Party and the President of the Republic. This is another proof of the everyday care of the leading factor of our society, the Communist Party of Czechoslovakia, in improving combat preparedness of our socialist country.

The New Regulations Have Their Source In Changes  
In Our Society And In Military Science

The new Internal Service Regulations and the Disciplinary Regulations supersede the present Basic Regulations which were entirely based on the Soviet Regulations of 1946, compiled on the basis of experience from the Great Patriotic War. Their task of helping to build up class-conscious and politically firm Czechoslovak Armed Forces has been fulfilled. At present, owing to the sudden changes and the development which we have witnessed on a world-wide scale also in military science, they are no longer in accord with actual conditions and the new requirements.

During recent years radical changes have taken place in the world. The political, economic and military strength of the socialist camp, which has become the decisive factor in the solution of all problems of further development of human society, has increased and been consolidated. The Soviet Union, with its consistent policy of peace, and Comrade N. S. Khrushchev personally, struggle very persistently and purposefully for the preservation of peace. The Vienna Meeting, held at the initiative of the USSR, is new proof of these facts. Nevertheless this is the first step toward elimination of the danger of another world war. Until an agreement on general and complete disarmament has been reached, we must be on the alert, increase vigilance and organization and improve the combat training and political education of the Czechoslovak armed forces.

Czechoslovakia has completed the establishment of socialism, the moral-political unity of its people has been strengthened, and significant achievements in the development of the national economy, science and culture have been made. Qualitative changes have taken place also



within the Czechoslovak armed forces. As a result of the great organizational and educational role of the Communist Party, the unity of the army and the people, the coherence of the soldiers with the Party and the Government, their political consciousness and active attitude toward military service have been still further consolidated, the unity of the centralized government and the soldiers' initiative have grown along with the supreme commander's absolute authority and the concurrent expansion of the influence of party organizations on all aspect of army life.

The commanders, the Party-political organs and Party organizations, along with the youth organizations have accumulated during recent years a great amount of experience in the ideological education of soldiers and their mobilization to achieve the best possible results in combat and political preparation.

As a consequence of the development of weapons of mass destruction the character of today's warfare has changed and this is reflected in all types of armed forces in substantial changes, both in organization and technical equipment and the methods of military operations. Now, more than ever before, the problems of the training of defenders of the fatherland loyal to socialism, their conscious and strict discipline, and the necessity of development of their initiative at all levels have stepped into the foreground.

All the above mentioned changes have made it imperative to modify the Basic Regulations of the Czechoslovak Armed Forces.

From the viewpoint of place and role of the armed forces of the CSSR as a part of the armed forces of the Warsaw Pact, it was necessary to achieve, within our regulations, harmony in the fundamental problems with the Basic Regulations of the Armed Forces of the USSR.

For that reason the foundation of the new regulations are the 1960 regulations of the Soviet army, but the pertinent resolutions of the Central Committee of the Communist Party of Czechoslovakia, legal decrees and certain special features and usages were also taken into consideration.

#### Ideological Sources of the New Regulations

A correct approach to thorough understanding and application of the new regulations must be seen in close relation to understanding of all of the essential resolutions of the CC of CPC on building an advanced socialist society and its defense, especially the resolution of the CC of CPC of 8 December 1960. "On Further Consolidation of Socialist Legality," the resolution of the CC of CPC on the status of discipline, criminality and extraordinary events, and the publication of a new law on the defense of the CSSR.

Further development of an advanced socialist society requires that socialist changes be accomplished both in the consciousness of people and in their way of life.

This must find its reflection in that the entire society and its individual members will consistently follow the socialist principles in

life and work, that the relations in occupation and the mutual relations between the citizens will be socialist, based on the principles of socialist coexistence; that the socialist citizens strictly observe the socialist laws and that they not only observe them, but see to it that all citizens do so.

Consequently there must be close cooperation between the education of people through work, the ideological-educational work of the developing social characteristics of a man, vigorously fighting the bourgeois remnants, and purposeful utilization of socialist legality and socialist laws.

Also in the armed forces efforts are made for a purposeful education of soldiers toward fulfillment of the tasks of the training, especially toward correct application of the socialist emulation method. The compass of the ideological-educational influence is further extended, having as its goal to attach the content of the ideological work to the concrete tasks of combat and political preparation. A successful and effective means to attaining these objectives is explanation of the requirement of the basic regulations -- the Internal Service Regulations and the Disciplinary Regulations, and their application in everyday educational work. Both basic regulations are fundamental legal documents governing the way of life and the training of the armed forces. They specify the general and functional duties of military personnel, their mutual relations, the principles of military discipline and the disciplinary right of the commanding officers, and they develop the individual articles of the Constitution of the CSSR as they apply to the armed forces. Both regulations are clearly anchored in the leading role of the Party, and these documents contain the requirements of the CC of CPC for further intensification of party-political and educational work among the members of the armed forces in close unity with further consolidation of the supreme commander's authority. The new regulations, in accordance with the thesis of V. I. Lenin to the effect that the supreme commander's authority is the most correct and effective method of commanding armed forces, which secures flexibility, operativeness and united action of military units, set forth that commanding officers are endowed with the supreme commander's authority and are personally responsible to the Communist Party of Czechoslovakia for permanent battle and mobilization preparedness of the units entrusted to them. They are also responsible for the combat and political preparation, for the training, military discipline, political and moral state of their soldiers, for the condition of arms, combat material and transport vehicles, and for the material and medical security of the unit. Both regulations reflect the degree of development of the Armed Forces of the CSSR, express their needs at the present time with regard to the degree of development and prospects of our socialist society and the defense of the revolutionary features of our people and the whole socialist camp in conditions of contemporary military science. Contemporary warfare requires very strict execution of orders as never before in the history of military science.

One of the most important conditions for high combat ability and

constant combat preparedness of the armed forces, especially in contemporary war, is firm military discipline. High discipline increases the solidarity of the armed forces, unites the armies into one battle unit and enables the commanders to control and organize the combat activity and to dispose in time all forces and means for the fulfillment of the combat task.

The quality of the combat and political preparation is necessarily conditioned by the state of discipline, organization and order, not only in the troop and its units, but at all command levels. High discipline and organization of life in troops lead soldiers to exactitude, consistency, stimulates their interest in the training, and secures the best possible fulfillment of the assigned tasks. Contemporary combat, the application of new weapons, require, in order to achieve victory, the strictest discipline and exact execution of orders and regulations as never before in the history of military science.

The basic requirements of military discipline are contained in the Disciplinary Regulations of the Armed Forces of the Czechoslovak Socialist Republic. This document represents a law which every soldier must obey without reservations.

The very beginning of the Disciplinary Regulations emphasizes that military discipline is based on high political consciousness and Communist education of soldiers, on a deep understanding of patriotic duty, international tasks, and absolute loyalty of the soldiers to their socialist fatherland, the Communist Party and the Government of the CSSR.

The system of education and training in our army lays main stress on the persuasion method. Military discipline is created and strengthened primarily through educational work combined with great knowledge and ambition on the part of commanding officers. The education must be built on positive examples, and rewards are one of the important means of education of soldiers in the spirit of conscious military discipline, because they develop their activity and creativeness. Enforcement methods are used against those who have an incorrect and irresponsible attitude to military service, commit offences, or disregard the rules of coexistence and public order. Experience shows that the application of both methods makes it possible to create discipline which meets the needs of the character and mission of our armed forces.

The essential articles of the Disciplinary Regulations define exactly the substance of military discipline, on what this discipline is based, to what it binds each soldier, and how it is attained. These essential formulations must be fully accepted by each soldier.

The question of orders is explained very clearly. An order is a law to the subordinates. It must be executed without opposition, exactly, and on time. The authority of the superior has its source in the functioning state which is an expression of confidence given by the Communist Party and the working people. This, in turn, creates the responsibility of every superior for his orders being in agreement with the interests of socialist society and that they do not violate socialist legality.

Special attention is given in the regulations to the prevention of offenses, investigation of the causes of offenses and to the creation of an implacable attitude of the collective toward violators of military discipline.

#### To Improve the Standard of Disciplinary Practice

Rewards and disciplinary punishment are effective instruments in the education of soldiers. The regulations state that every superior, in the education of his soldiers in the spirit of perpetual fulfillment of all requirements of military discipline, is obliged to reward the soldiers for right initiative, diligence, heroic acts and outstanding performance, and to punish violators.

The disciplinary authority with which the commanding officers are entrusted by the Party and the Government is instrumental in their strengthening of discipline and education of our soldiers. It is, however, necessary that every superior uses the **rights granted to him** sensibly and with full responsibility toward the Party. The superior commanders must check regularly and teach constantly their subordinate commanders the right application of disciplinary authority with which they are entrusted.

The goal of the whole education of soldiers is to resort to punishments only in extraordinary cases. According to the character of the transgression, the superior is obliged either to reprimand the violator and remind him of his service duties, or to impose disciplinary punishment on him, or sometimes to hand over the case for a public trial.

Of extraordinary importance for the formation of public opinion and for education of all members of the armed forces toward inexorable-ness toward all cases of breach of discipline is the correct and skillful application of the right to hand over violators for public trial. The commander is obliged to conduct such a trial, to prepare it carefully with the assistance of the party (youth) organization, and to ensure its full orientation toward strengthening of military discipline and to the correction, not only of the guilty individual, but also of all the participants in the trial. It should be said, however, that only a collective of high principles, which is morally united and has an implacable attitude toward violators of discipline, can fulfill the educational purpose of a public trial. Similarly, frequent use could lessen the effect of this significant measure. A trial before the collective does not mean that the superior may not apply a disciplinary punishment at the same time.

A new disciplinary punishment, a severe reprimand, has been introduced, which is a transition to regulation punishment and incarceration punishment.

The Disciplinary Regulations, like the Civil Code, give the soldiers the right of appeal in cases when they believe that they have not committed any transgression, or that the superior went beyond his disciplinary authority. In punishments involving loss of liberty, the violator may protest the degree of the punishment imposed on him if he believes

that his superior has broken the principles of imposing punishments specified in the regulations.

#### The Internal Service Regulations -- Strict Organization of Life in the Armed Forces

The Internal Service Regulations will play an important part in improving the organization of life in the armed forces. The regulations require that the moral and political qualities of the military personnel be systematically enhanced, and oblige the personnel to observe the laws, live up to the military oath, execute the orders of the commanding officers, and honorably do military duty. The regulations specify that "A soldier is obliged to be disciplined, honest, truthful and courageous and must not spare his powers or even his life in fulfilling his military duties, must submit to his superiors without opposition, protect them in battle and faithfully guard the banner of his unit. He must know the requirements of the regulations and his duties exactly, discharge them correctly and conscientiously, actively help to strengthen discipline, constantly improve his military and political knowledge, and perfectly master and care for the military material."

In the spirit of proletarian internationalism the regulations make it the duty of military personnel to strengthen the brotherly relations between our two nations and to invigorate the friendship with the soldiers of the Soviet Army and the armies of other socialist countries.

Our army is a people's army. For that reason the Internal Service Regulations demand of the soldiers that they constantly strive to consolidate the unity of the armed forces and the people and to amplify the connection with the people. The regulations charge the soldiers with observing the communist moral code, to behave properly in public, to be courteous to the civilian population, and help them in accidents and natural disasters.

Full responsibility before the Communist Party and the Government is carried by the commanders for battle and mobilization preparedness, the education and the moral and political state of the troops and units under their command. These extensive requirements could hardly be fulfilled by the commanders without support from the collective and application of its opinions and suggestions. The regulations have also taken this into consideration by instructing the commanders always to rely in the performance of their work especially on the party organizations and the youth organizations [CSM -- Ceskoslovensky Svaz Mladeze -- Czechoslovak Youth League] and to take advantage of their influence.

#### Personal Interest of the Commanding Officers in the Political and Military Education of Their Subordinates

An important prerequisite for improving the quality of the educational work with the subordinates is that the commanders should know their subordinates well and personally take an active part in their political

and military education. Here obviously it will be necessary that the commanders deepen the contact with their subordinates, and improve the individual work with them. The commanders will have to study appropriate educational methods and apply them in practice.

The solid fulfillment of the tasks of the combat and political preparation is significantly helped by socialist emulation. Its meaning is in the fact that it facilitates the change of attitude of the soldiers toward active military service, toward military duties. Present experience proves that correctly organized and channeled socialist emulation brings to the armed forces great values and essentially contributes to their combat preparedness. For this reason the regulations impose on troop commanders and their political commissars the duty personally to organize and conduct the socialist emulation movement.

The Internal Service Regulations particularize and supplement the duties of the individual functionaries, especially as regards increased responsibility for the education, the moral and political state and the care of the subordinates. Especially great demands are placed on regimental commanders, in connection with the changed character of contemporary warfare. They are responsible for the preparation of their regiments for military action. Under all conditions they must take measures for the protection of both soldiers and material against the effects of atomic weapons and other weapons of mass destruction.

In contemporary military operations, as a consequence of high demands on the supervision over the combat and political preparation of the armed forces and the material and mastering and using of the techniques, the role of deputy commanders has gained considerably in importance. As a result of this the new regulations state that the deputy commanders are direct superiors to all members of the regiment. It would, however, be erroneous to see in this provision only the fact that they are entrusted with disciplinary authority over the members of the regiment. This provision in the first place emphasizes in present conditions the importance of their work and naturally also their responsibility in a specific field of activity and also for the care of subordinates.

#### Working Time, Self-Education, Cultural Growth, Family Life

The new regulations help also in solving the greatest problem of the present time -- the general growth of the commanding body. The regulations do not specify explicitly when officers should be off duty, leaving it to the discretion of the superiors, according to the needs of the unit. Therefore the commanders and chiefs of all categories who are responsible for the over-all growth of their subordinates must plan and organize the work so that no unnecessary detention of officers occur in units before and after their regular duty, so that the working time is adequately utilized, and so that efforts are made all the time to find new reserves which can be used by the subordinates for self-education, cultural development and family life.

The solution of this task, without impairing the combat preparedness

of the unit, depends also on high-quality performance by the noncommissioned officers. Consequently the Internal Service Regulations charge them with certain service duties which formerly belonged to the officers.

In the section speaking of the accommodation of soldiers there are specific instructions for maintaining order, both from the viewpoint of health and hygiene and with respect to prevention of accidents and extraordinary events. The regulations stipulate that it is imperative to keep all buildings and areas in absolute order. The experience with the Presov Appeal demonstrates that the initiative of the youth organization members can, if regulated properly, be of immense help to the commanders.

#### The New Organization of the Daily Routine Assignment to Duty, Military Duties, Roll Calls

The organization of the daily program was changed considerably in comparison with the practice common when the previous regulations were in force. The new regulations emphasize the great organizational significance of the daily program, increase the responsibility of the commanders of all degrees and the men in charge of its everyday observation.

The main purpose of duty assignments should be to ensure the unit's preparedness for executing daily duties. Certain duties performed in the morning roll call (head count, personal appearance inspection, etc.) will also in the future be performed at the duty post.

A significant act of the daily routine is the assignment of duties. Its systematic execution enables the commander to place the unit on the alert for combat action at any time and to assign a special task to it.

The respective commanders will have to supervise personally the assignment to military duties to ensure its regularity. The daily roll call will play a great role in the work of the commanding officers. It will secure a daily, personal, organized contact with the subordinates, and will make it possible for the commanders to exercise educational influence on his subordinates regardless of the nature of the affairs that will be reported on during the roll call.

In view of the complete mechanization of the armed forces, the new regulations contain additions and supplements concerning maintenance and proper operation of the combat and other material.

#### Leisure, Short Leaves of Absence

The completion of the cultural revolution in our country concerns also the members of our armed forces. Our soldier as well as other members of socialist society accepts the cultural riches of the past and of the present. To live a rich cultural life means for the soldier to like military service, to improve his technical education and qualifications, to care for his over-all cultural growth, to strengthen the comradely relations in the collective, and to use his leisure properly for over-all development.

Consequently the Internal Service Regulations stipulate that the time assigned to leisure shall be used for expansion of the political, technical and general knowledge of the members of the troop, and for mass political, cultural and sports activities. The responsibility for full utilization of this time is with the commander, who is assisted by the youth organization (CSM).

Changes are also made in the rules applying to leaves of absence of privates and noncommissioned officers. The basic indicator in the determination of the length of the leave must be the observation of a constant high combat preparedness. The privates and noncommissioned officers who have not been assigned to any duties in the combat assignment may leave the garrison with the knowledge of the company commander after the combat task has been completed.

The problem of short leaves has been facilitated for the noncommissioned officers beginning with the rank of corporal [desatnik], for exemplary privates and class specialists of the second and higher classes. The favoring of the above categories of military personnel is a reward for their efforts in strengthening discipline in the troops, in perfecting the mastery and technical skill and successful execution of the tasks of the combat and political preparation.

#### The Regulations Should Be Well Understood And Consistently Used

The publication of the new Internal Service Regulations and the Disciplinary Service Regulations should become for all commanders and staffs, for all party and youth organizations, and for all military personnel an important milestone in the further improvement of the standard of the educational work, in a substantial consolidation of military discipline and the supreme commander's authority, in the execution of all military duties, and in essential improvement of the organization of and internal order in the armed forces.

On the occasion of the promulgation of the new regulations the Minister of National Defense issued a special order and politico-organizational directives. Both documents must become foundations for the study and practical application of the regulations. It will not be an easy task, to be discharged by a single action. It will essentially be a struggle for the consciousness of the people, where we shall have to take into consideration a certain conservatism and established habits.

The first requirement will be thorough understanding of the significance of the new regulations for contemporary warfare and for further improvement of the combat preparedness of our armed forces. Just here the Communists and members of youth organizations must prove their capability, for the understanding of the political significance of the regulations is chiefly a matter for the Party. It will be necessary to make it clear to the soldiers that the task involves not only thorough understanding, but also a systematic application of the regulations in the daily life of the armed forces.



The main method of study of the regulations will be preparation by the individual officers, especially by means of personal study. If we read carefully the individual paragraphs and articles and learn them we shall see the profoundness of the thoughts, which are expressed in simple but clear formulations. The officer who studies the regulations is required not only to remember certain articles, but also to understand thoroughly their meaning and know when the respective articles should be applied. It follows from this that to acquire good knowledge of the regulations is possible only through profound study and observation of their requirements. The regulations should become to all officers, even to those who have been in service for a long time, a book with which they work every day. Mastering and application of the regulations should not become a once-for-all affair. It will be necessary to return to them all the time and better ourselves in their fulfillment, one reason being that there will be new young soldiers in the army every year. Individual study, however, should not be the only method. No matter how well prepared the officer is, he will need the assistance and advice of his older comrades and political workers. It will therefore be necessary to help the officers by organizing lectures, reports, consultations and question-and-answer meetings. In popularization of the regulations, the main attention should be given to the understanding by the officers of the principle that these documents embody Lenin's principles of building up the armed forces, the directives of the Communist Party of Czechoslovakia and its Central Committee on the training and education of our soldiers, all the new and progressive ideas which have been created in our society and in the armed forces in recent years. Furthermore, it will be necessary, in order to help officers and noncommissioned officers, to instruct them by means of practical demonstrations in how to apply the Internal Service Regulations in the military units.

In testing knowledge of the various articles of the regulations we shall have to avoid any possible formalism. The main task of the study will be the acquirement of knowledge of the duties to the extent of the function and rank held by the individual. Especially profound must be the knowledge of the general and functional duties, the ability to apply it in the life of the armed forces, and knowledge of all problems which are of decisive importance for strengthening discipline, organization, and strict military order in everyday life, both within the military formation and in public.

The study of the articles of the Internal Service Regulations and the Disciplinary Regulations alone and the testing of the knowledge will not guarantee success. We should not forget the words of Comrade V. I. Lenin that military discipline should be strengthened, not only by persuasion but also through rigorous demands. Only by a combination of all instruments will it be possible to achieve success in training and education of the members of troops and units. It will be primarily a matter of personal example given by our commanders and officers of the staff of all ranks, both in combat units and in academies and institutions.

The application of the new Basic Regulations must not become a once-

for-all affair, a campaign. We need permanent consolidation of discipline and improvement of organization. To maintain a high standard of discipline is always more difficult than to establish it. Consequently the struggle for instituting the new regulations must be evaluated at regular intervals to ascertain what level has been achieved, and, on a higher level, measures must be undertaken for further improvement of conditions. Many examples from our armed forces show that people, and especially Communists, want to have good, disciplined and highly combat-prepared armed forces.

There is no doubt that all commanders, staffs and political workers, taking advantage of the immense power of the Party and youth organizations, will take the task of mastering and instituting the new Basic Regulations in their hands. If all Communist and members of the Youth League will concentrate their attention on profound mastering of the Basic Regulations and will act exemplarily in their methodical application, the introduction of the new regulations will result in substantial improvement in the organization of the life of the armed forces, elimination of all deficiencies which are still to be found in educational work, in strengthening the educational work and in the demands of the commanding officers in execution of the regulations and orders. The new regulations will then lead to a more orderly observation of the resolution of the CC of CPC: "On the Status of Discipline, Criminality and Extraordinary Events" and thereby to further improvement of the combat preparedness of our people's army.

AGREEMENT FOR INCREASED COOPERATION BETWEEN THE STATE BUREAU  
OF SOCIAL SECURITY AND THE CZECHOSLOVAK RED CROSS

Following is the translation of an unsigned article in  
Pracovník Československého Červeného Kříže (Worker of the  
Czechoslovak Red Cross), Vol VIII, No 10, Prague, 25 May  
1961, pages 223-227.

The State Bureau of Social Security and the Central Committee of the Czechoslovak Red Cross, assured by the results of the evaluation of previous cooperation and owing to its further extending and deepening, proceed to sign an agreement for systematic cooperation to contribute to the more perfect realization of social security by the Narodni Vybors and an expansion of active participation of voluntary public health workers and members of the Czechoslovak Red Cross in the solution of social problems.

The State Bureau of Social Security and the Czechoslovak Red Cross have a number of common tasks.

The State Bureau of Social Security, in accordance with the new laws on the Narodni Vybors by which the democratic power of decision in the field of social security has been further enhanced, leads the organs of the Narodni Vybors -- the commissions of social security -- to the realization of social security and to the expansion of cooperation with the organizational components of the Czechoslovak Red Cross.

The Czechoslovak Red Cross wins and educates working people for participation in the fulfillment of the public health and social tasks which are entrusted to it by the State. Realizing the importance of a further expansion of the active participation of our working masses in building an advanced socialist society, the Czechoslovak Red Cross leads its membership in the spirit of socialist humanitarianism to rendering help to the society, not only in the performance of medical services and execution of tasks but also in performance of services and tasks of a social character.

In order to support these tasks, the State Bureau of Social Security and the Central Committee of the Czechoslovak Red Cross have agreed the following:

Article I

The State Bureau of Social Security enacts to take the following measures:

1. The organs of social security of the Narodni Vybors will be

instructed to win retired workers for active participation in the organization sectors of the Czechoslovak Red Cross.

2. The officers or workers of social security of the Narodni Vybors will accept functions in the organizational sectors of the Czechoslovak Red Cross and will work in them actively.

3. The respective organization sectors of the Czechoslovak Red Cross will join the executive meetings of the organs of social security.

4. The organs of social security will secure that the officers of the Czechoslovak Red Cross and its voluntary public health workers are acquainted with the social security regulations which are necessary for the execution of the tasks which follow from this agreement.

5. In social security establishments, local groups of the Czechoslovak Red Cross will be established.

## Article II

The Czechoslovak Red Cross enacts the following measures so that its organization sectors will help:

1. In educating broad masses of the population about respect for old people and consideration of permanently disabled persons.

2. In extending active old age, especially in bringing old people into public activities.

3. In combatting invalidism.

4. In persuading its organizational sectors to assist the social security organs of the Narodni Vybors to

a) Organize a nursing service for old citizens, chronically sick or lonely persons, and actively support its operation.

b) Look for people who, because of social or economic reasons, need the help of the society, or actively participate in offering help.

c) Look for physically or mentally deficient young people and see to it that adequate care be taken of them.

d) Look for jobs for persons with a reduced work ability with regard to their physical and mental qualifications and assist in watching the work conditions of these persons.

e) Guard the hygiene and quality of communal boarding for retired persons and facilitate their improvement.

f) Spread public health education also at retired persons' homes and clubs.

## Article III

The State Bureau of Social Security and the Czechoslovak Red Cross are convinced that signing the agreement will serve as a stimulant for the Narodni Vybors and their commissions of social security and for organs of the Czechoslovak Red Cross, for extending and deepening their mutual cooperation, and will result in the participation in actual tasks of social security for the cadre of the workers of the Czechoslovak Red Cross.

#### Article IV

The State Bureau of Social Security and the Czechoslovak Red Cross will issue joint directives for effecting this agreement.  
Prague, 7 April 1961.

Czechoslovak Red Cross  
Frantisek Janouch, MD

[Signed]

State Bureau of Social Security  
Evzen Erban

We are publishing here the agreement which has been recently signed by the State Bureau of Social Security and the Central Committee of the Czechoslovak Red Cross. We are firmly convinced that this agreement will contribute to an improvement in fulfilling the tasks of social security, as well as to a more systematic fulfillment of the social-medical tasks of the CSCK.

The Czechoslovak Red Cross now has about 1,300,000 members, of whom hundreds of thousands are very active and enthusiastic workers in the social-medical sector; most of them are very interested in proving their services also in the social sector.

The State Bureau of Social Security, together with the Central Committee of the Czechoslovak Red Cross, sets up the following main principles for effecting the above agreement.

In order to secure permanent cooperation between the social security organs of the Narodni Vybors and the organs of the Czechoslovak Red Cross,

A. the State Bureau of Social Security recommends to the organs of social security:

To invite to the joint meetings of the representatives of the social security commission, public health commission, and the Kraj (Okres) Trade Union Council (the so-called "trio" [trojka]), a representative of the CSCK who will be appointed by the Kraj (Okres) committee of the CSCK.

To establish for the sake of organizing and securing nursing services at the social security commission a coordination corps (operational group) consisting of the social security commission representative (usually its chairman or the chairman of the inner commission), the public health commission (usually the chairman of the public health section of the Narodni Vybor), the CSCK committee (usually public health secretary), and the Women's Council.

To include in the operational plans of both components solid content and concrete forms of cooperation, depending on local problems and needs, to check how they are fulfilled, and to remove the shortcomings which are discovered.

To establish the cadres of the social security commissions to win activists from among the membership and public health workers of the CSCK.

To invite, according to the actual need, representatives of social security organs and the organs of the CSCK to meetings, consultations, instruction and executive meetings, and conferences, at which their participation will contribute to a successful discussion and securing of

the tasks of social security or the tasks of the CSCK.

To publish in instructive publications (bulletins, methodological instructions, brochures, and other materials) designated for the lower organizational sectors examples of good and bad cooperation and thereby to transmit experiences and work for eliminating shortcomings.

To remember outstanding and devoted workers from among the membership of the CSCK, especially public health workers of the CSCK charged with nursing service tasks, in commending or rewarding citizens for outstanding work achievements or voluntary acts.

To win retired people for active work in the CSCK sectors, to help in recruiting members, and to establish factory groups of the CSCK, especially in social security establishments.

To encourage officers and workers of social security sectors (including public health workers from social security establishments) to accept functions in the organs of the CSCK (in committees and their commissions), work in these functions actively, and become propagators of the idea of the CSCK.

To organize training of officers, members, and public health workers of the CSCK, which will be sponsored by the respective committee of the CSCK in social security problems, especially on supplemental and institutional care.

B. The Central Committee of the CSCK recommends to the committees of the CSCK in the krajs, okreses and communities:

To enable the workers and officers of social security (including physicians, middle- and lower-level public health workers from Social Security establishments) to participate in the work of the CSCK (in commissions, plenums, and committees of the Krajs, Okreses and groups of the CSCK, etc.).

To select and recommend for commissions and committees of social security section of the Narodni Vybors the most capable officers, members, and physicians of the CSCK, to follow their work, to help and advise them, and to accept their comments for improving the work of the CSCK in social security.

To include, in the training and instruction programs of officers, members, and physicians of the CSCK, lectures given by officers, social security, and social care workers, especially those dealing with additional and institutional care.

To recruit retired people for active work in CSCK branches and for other types of public activity and thereby to contribute practically to extending active old age. To educate wide masses of the population in respect for old people and permanently disabled persons. Commissions for youth will act toward this end upon young medical workers of the CSCK and, through them, on the education of other groups of young people.

Factory groups of the CSCK will be helpful in the battle against illness absences and in looking for and standardizing jobs for persons with a reduced work ability. They will notify the management of the company, the factory physician, and the ROH organization of the deficiencies in the working conditions of these people and will assist in removing these deficiencies. They will assist in educating persons with a reduced work

ability toward a proper way of life and toward observing the principles of safe work.

The CSCK sectors will assist in looking for persons who, because of economic or social reasons, need the help of society; the sectors will also give their names to the social security organs, together with the particulars of their accommodations, economic, social, and other conditions. They will secure the help of the CSCK members for these persons if possible. Special attention will be given to looking for and reporting physically and mentally deficient young people, and securing adequate care for these young people in families, or their placement in Social Security establishments.

Public health patrols, public health collectives, and voluntary nurses of the CSCK will assist social security branches and branches of the State Medical Administration in keeping a check on the hygiene and quality of communal dining facilities for retired people (factory cafeterias, restaurants, special pensioners' cafeterias, in pensioners' clubs); they will also assist in improving their standards and notify the district physicians or okres hygienists and social security commissions of deficiencies which it will not be possible to remove through personal contacts. At the same time they will assist in educating retired people in observing the principles of a correct diet, commensurate to their age, and physical condition.

The CSCK committees of all degrees and their commissions (especially public health, or social -- if established) will lead public health workers of the CSCK, especially voluntary nurses, toward extending and broadening practical nursing services. They will help the organs of social security in organizing and realizing a systematic research of the needs of the nursing service. For the purpose of organizing this service and for cooperation between the State Medical Administration's organs, the social security organs, and the CSCK, special instructions in this field are in force.

The CSCK committees of all levels, especially district committees and committees of local groups of the CSCK, will assist in carrying out public health education in retired persons clubs and homes, emphasizing especially old people's needs.

Okres committees of the CSCK will, in agreement with the management of the respective establishment, build up factory groups of the CSCK at social security establishments (old persons' homes) and will direct their activities especially toward improving the public health education of retired persons and toward developing their cultural and social life.

C. The State Bureau of Social Security and the Central Committee of the CSCK recommend that the social security commissions and the CSCK committees in Krajs, Okreses, and communities discuss this agreement and the principles upon which it will be put into practice, and establish concrete contents and concrete forms of a systematic cooperation in order to contribute further substantial achievements to improving the social security state.

## ROLE OF THE CZECHOSLOVAK RED CROSS IN METALLURGY AND MINING

Following is the translation of an unsigned article in  
Pracovník Československého Červeného Kříže (Worker of the  
Czechoslovak Red Cross), Vol VIII, No 9, Prague, 10 May  
1961, pages 195-199.

An agreement between the Ministry of Metallurgical Industry and Ore Mining, the Trade Union of the Metallurgical Industry and Ore Mines, and the Czechoslovak Red Cross on cooperation to secure preventive, hygienic and medical care for workers in the metallurgical industry and ore mining.

The victory of socialism in our country, which was achieved by our working masses under the leadership of the KSC [Komunistická Strana Československa -- Communist Party of Czechoslovakia], made it possible to concentrate the powers and means of the society for a further improvement of the living standard of the working people. The bold goals in completing the construction of an advanced socialist society, the great development of the national economy, the gradual reducing of working time, and the improvement of the working and living environment of workers prove purposeful and concentrated efforts of all working people in the fulfillment of the above tasks and a close cooperation between the organs of State government and the mass organizations of the working people.

The metallurgical industry is of essential importance to the development of other branches of national economy. The tasks with which it was charged in the Third Five-Year Plan are so ambitious that without the active cooperation of all working people in creating the most advantageous work conditions they could not possibly be fulfilled.

At the present time, serious deficiencies of metallurgical works and ore mines in the field of health protection are felt. There are serious obstacles on the road toward a further improvement of the living standard of the working people, and they call for an immediate solution.

It is necessary to arrive at a considerably reduced rate of accidents and a vitalization of the work environment, especially through a reduction of the dust content, the radiating heat, and noise. We need further to complete the necessary social, medical, and hygienic establishments at works, to eliminate the contamination of the air and surroundings of factories and mines with harmful byproducts, and to reduce considerably the contamination of water channels with industrial refuse.

It is, moreover, necessary to deepen and improve the quality of the medical service offered to the working people, to improve the



administration of first aid and bring the first aid as close as possible to the work posts, to improve the standard of preventive care, and to utilize for preventive tasks as many workers as possible. A significant part in securing these tasks will be assumed by our communal public health organization, the Czechoslovak Red Cross, as a direct participant and supporter in the struggle for a healthy way of living for our people.

The success of fulfilling these ambitious tasks will depend on the close cooperation of the workers of the national economy, union officers, and medical workers of the State Medical Administration.

Within the framework of this agreement the Ministry of the Metallurgical Industry and Ore Mines and the subordinate organizations commit themselves to do the following:

The Ministry of Metallurgical Industry and Ore Mines will secure:

1. Completion of the needed medical establishments according to the standards of the Public Notice No 241/52 U.L., and a formulation of the plans of the Third Five-Year Plan according to the comments of physicians, hygienists, and members of the Czechoslovak Red Cross working in the patrols, units and shock-collectives of the Czechoslovak Red Cross. Furthermore, it will make efforts to integrate the plans of the Ministry's investment construction with the territorial plans of the Narodni Vybors from the viewpoint of improving the quality of construction of the auxiliary cultural, social, medical, and water-resource establishments, and try to improve the cooperation with hygienists in evaluating projects, in changes of production planning and technology, and will consider their suggestions and the suggestions of the workers, especially of the Czechoslovak Red Cross physicians.

2. Training and additional training of all leading workers to meet the hygienic and medical minimum and the safety regulations, in cooperation with the State Medical Administration and trade unions.

3. Completion of first-aid stations, in cooperation with physicians.

4. Control, to provide for greater attention to the physiological conditions of work, work breaks, shifts of employees, gradual elimination of hard work through application of mechanization, order at work posts, and to the organization of work for a reduction of overtime. It will take into consideration the suggestions of workers, especially members of the Czechoslovak Red Cross and work-safety patrols.

The production-economic units will secure:

1. Improvement of working conditions in order to eliminate the causes of accidents and occupational diseases through the introduction of new mechanization and automation. Furthermore, there will be gradually introduced technical health-protecting equipment such as exhausts and dust filters, air and water screens, ventilating and heating equipment, and modifications made in ventilating hot shops. Illumination of work posts will be improved, the factory areas will be rearranged, green belts of vegetation planted, and the internal furnishings of work posts will be systematically improved. Greatest efforts will be directed to hazardous areas, where there are high bonuses because of surroundings harmful to health or where exceptions to the ministerial regulations were made, and

further to sufficient quantities of pneumo-technical equipment, its proper maintenance, and failure-free operation. In the solution of the above tasks, technicians and innovators will participate; thorough discussion must be guaranteed to all suggestions of workers, especially physicians of the Czechoslovak Red Cross.

2. Fulfillment of the tasks of the Public Health Five-Year Plan and the specific tasks resulting from the government resolutions on the battle against silicosis and contamination of air and industrial water. For the solution of these tasks, brigades will be established at works from the ranks of technicians, physicians, union officers, and workers of the respective establishments, especially members of the Czechoslovak Red Cross. The necessary social and medical establishments specified in the overall plans of public health provisions will be completed, especially lavatories, dressing rooms, drying rooms and laundries for work clothes, kindergartens and nurseries, shop cafeterias, coffee shops, snack bars, movable stands with refrigerated soft drinks, showers, rest rooms for women -- all in sufficient number and furnished adequately in agreement with the principles of modern sanitation. In older plants priority efforts must be made to solve this problem and to check the facilities regularly according to the valid regulations. In new plants the necessary facilities must be installed in advance of the time with regard to the future needs and the development of the works. Kindergartens, nurseries, and communal dining facilities should be built very soon. It will be necessary to secure sufficient quantities of potable and utility water. In shop cafeterias a gradual improvement of the quality and assortment of meals should be provided for and conditions for a transition to varied menus should be formed. Sufficient quantities of suitable drinks and construction of new soft-drink production centers directly at factories should be secured at high-temperature shops. Conditions must be secured for the sanitary operation of cafeterias in cooperation with the workers, especially members of the Czechoslovak Red Cross.

3. Training and additional training of all workers to provide them with the public health and sanitation minimum knowledge and with a knowledge of safety regulations, in cooperation with the State Medical Administration, trade unions, and factory groups of the Czechoslovak Red Cross.

4. Adequate supplies for the first-aid stations of medicines, medical materials, and resuscitation instruments. Similarly adequate supplies must be secured for shop medicine chests, and their upkeep and economical utilization controlled; rendering of first aid must be close to the posts of work on all shifts;

5. Accepting of machinery with pneumo-technical and safety supplements only. Under no circumstances shall equipment be put into operation before it is complete, even with regard to the medical, hygienic and safety requirements.

6. Assignment of workers with minor injuries to light jobs and proper posts of work where they can work without endangering their health, in cooperation with professional physicians, trade unions, and factory organizations of the Czechoslovak Red Cross. For that purpose, auxiliary

shops, rehabilitation centers, centers for persons with reduced work ability will be established at factories; at larger plants, training centers for newly hired employees.

7. Creation of material and organizational conditions at companies and subordinate plants for a very extensive development of the activities of Czechoslovak Red Cross groups. In analyzing, evaluating, and securing the tasks in all problems of health protection and work safety, the production-economic units will cooperate with and be supported by the factory organizations of the Czechoslovak Red Cross.

The Czechoslovak Red Cross obligates itself to direct the activities of all its organs, within the present agreement, especially to the following tasks:

1. The activity of factory groups of the CSCK will be primarily oriented with the improvement of health and sanitation conditions and anti-accident care at plants of the metallurgical industry and in ore mining.

In compiling the task plans of the CSCK factory groups, the Public Health Five-Year Plan, the comprehensive plans of medical measures, and the collective agreements of companies will be taken into consideration.

2. The factory groups of the CSCK will set forward, through their members, their suggestions with regard to hygiene and safety in the approval of work operations, in studying and approving investments, and in evaluating the sickness and accident rates.

3. With effective assistance from factory physicians, union officers, and the company management, the factory groups of the Czechoslovak Red Cross will quickly provide extensive and supplementary education for all employees of metallurgical works and ore mines in medical and hygienic minimum standards, with a special emphasis on accident prevention, within time limits agreed upon by the management of the works and the ROH (Revolucni Odborove Hnutí -- Revolutionary Trade Union Movement).

4. The factory groups of the CSCK, assisted by the management of the plant and the unions, will extend the membership basis of the CSCK, especially drawing from the collectives of workers in hazardous shops, foremen, technicians, and youth.

The factory groups of the CSCK will build up the organization of the Czechoslovak Red Cross (patrols, units, and shock-collectives) and develop the movement of brigades of socialist work which will fulfill the production and public health pledges. The Czechoslovak Red Cross will make efforts to ensure observation of the principles of a healthy and safe work by the collectives participating in the fulfillment of production tasks. In cooperation with physicians, the CSCK groups will organize lectures, discussions, and mass cultural programs for these collectives.

5. The committees of the factory groups, or even the okres committees of the CSCK will evaluate regularly the results of work of the CSCK at factories with the participation of union officers, factory physicians, sanitarians and lecturing physicians.

6. The factory groups of the CSCK and their formations will secure, through their members, high-quality and timely rendering of first aid at

posts of work, at all shifts, and will care for an economical and purposeful utilization of first aid medicine chests and other medical material. The factory groups of the CSCK will secure participation of the CSCK members in the work-safety patrols.

Likewise in the commissions of the factory committee, especially in the commission of national insurance and the commission of protection and safety of work, the members of the CSCK will help in making "comradeship" visits, in finding out at the request of the factory committee and the factory physician the living conditions of the patients, their diet, and whether the directions of the physician are observed. They will further assist in looking for jobs for persons with a reduced work ability, pregnant women, juveniles, etc.

7. The factory groups of the CSCK will take advantage of all forms of education and propaganda so that the public health consciousness of all workers will find a practical expression in everyday life.

The Union of Employees of Metallurgical Works and Ore Mines, within the framework of this agreement, will direct the activities of all its organs and officers to the solution and fulfillment of the following main tasks:

1. Tasks of the Public Health Five-Year Plan and comprehensive plans will be realized through collective agreements at factories with regular supervision in the presence of the factory groups of the Czechoslovak Red Cross.

2. Analyses of sickness and accident rates will be discussed in the presence of and with the participation of members of the Czechoslovak Red Cross, and the work toward reduction of the sickness and accident rates will be accomplished with the effective participation of the factory groups of the CSCK.

3. The factory committees will bring into the work of their commissions increasingly more members of the CSCK and will rely to an increasing extent on the work of the factory groups of the Czechoslovak Red Cross in securing conditions for a healthy way of life and work of the working people.

4. At all factories and fields work-safety patrols will be established, with a full utilization of the CSCK members. The factory committees will take an active part in assisting in the expansion of the membership basis of the Czechoslovak Red Cross and in establishing public health formations at factories. They will also secure conditions for development of the socialist pledge movement, shock-groups, and collectives competing for the title "Brigade of Socialist Work," so that in fulfillment of the competitive production tasks, these collectives will observe at the same time public health, sanitation, and safety regulations.

5. The factory committees will evaluate regularly, once a year, the help of the ROH to the factory groups of the Czechoslovak Red Cross and call jointly public health meetings and conferences.

6. The factory committees will render effective assistance to the public health service and the CSCK in the field of public health education. They will deepen their educational work primarily in the struggle against

disorder and lack of discipline, alcoholism, violation of treatment regulations, failure to use personal protective aids, etc.

/Signed/

Alois Kopacek,

President of the Trade Union  
of the Employees of Metallurgical  
Industry and Ore Mines

Eng Miloslav Smok,

Minister of Metallurgical Industry  
and Ore Mines

Frantisek Janouch, MD,

President of the Central  
Committee of the Czechoslovak  
Red Cross

## HUNGARIAN MILITARY PENAL CODE

Following is the translation of Public Law 62 (1948) published in Hatalyos Jogszabalyok Gyujtemenye, 1945-1958, Vol I, Budapest, 1960, pages 45-55./

Date of Announcement: 30 December 1948

### PART I -- General Provisions

#### Chapter I -- Introductory Provisions

##### Application of the Penal Code

1. Unless this law states otherwise, persons falling under the jurisdiction of the Military Penal Code must be indicted according to the Civil Penal Code, regardless whether the crimes committed were military or civil crimes.

##### Military Crimes

2. (1) Crimes defined in part II are military crimes. Military crimes are also considered as such if so defined by other laws.

(2) Military crimes can be committed by military personnel only.

(3) Military crimes must be punished ex officio in all cases.

##### Crimes Committed Against Soldiers of Other States

3. A crime committed against a soldier of an allied army during war is considered to have been committed against a Hungarian soldier.

##### Time of War

4. (1) The government announces the dates upon which special wartime regulations are instituted or terminated.

(2) The government may use martial law in time of peace if the country's peace is threatened.

#### Chapter II -- Personnel Affected by This Law

5. The regulations stipulated in this law are applicable to military personnel, except the regulations given in part IV, No 130-131, which apply to civilians as well.

## Crimes Committed Abroad

6. Section 3 of this law must be used even when the military crime was committed abroad or in territories under the jurisdiction of an allied country during war.

## Chapter III -- Punishments and Other Regulations

### Capital Punishment

7. Capital punishment, as a penalty for military crimes, must be executed by shooting.

8-10. Repealed by Law No 5, 1955.

### Work House

11. Repealed by Law No 39, section 2, 1950.

### Loss of Office

12. Forbidding the exercise of various rights does not affect military office unless another law says otherwise.

### Special Supplementary Punishments

13. (1) This law specifies supplementary punishments as:

- 1) reduction to lower rank
- 2) demotion in rank
- 3) exclusion from promotion
- 4) loss of rank and decoration chevrons.

(2) Supplementary punishments 2) and 3) may be ordered separately or together; that of 4), only together with that of 1).

### Reduction to Lower Rank

14. (1) A reduction must be ordered if a soldier cannot wear his rank without jeopardizing discipline, injuring the dignity of the rank, or if it is detrimental to the service.

(2) If the court rules a loss of certain rights, reduction in rank must always be specified.

### Duration of Reduction to a Lower Rank

15. (1) A reduced person loses his rank and all privileges held by himself or his relatives from the State by virtue of his former rank.

(2) The court, if it so decides, can accept the loss of privileges by the reduced person and his relatives.

(3) Section 12 also is applicable in cases of reduction.

(4) Special regulations pertain to regaining one's former rank.

#### Demotion in Rank

16. (1) This step is taken if a soldier proves himself to be incapable of carrying out the duties which go with his rank.

(2) A soldier may be demoted to any lower rank.

(3) Demotion in rank affects a soldier's privileges only when the court specifies a reduction in the soldier's allotment. A soldier may be demoted to any lower salary bracket, but not below the bracket which goes with his new rank.

#### Exclusion From Promotion

17. (1) This step is taken when a soldier proves to be incapable of executing the duties of a higher office.

(2) The exclusion may be permanent, or may range from one to five years.

(3) The salary of an excluded person also may not advance.

(4) The exclusion period begins on the day when the soldier could have been promoted had he not been excluded from promotion.

#### Loss of Rank and Decoration Chevrons

18. (1) This sentence can be pronounced if the court decides that a soldier was convicted for a crime which makes him unworthy of wearing his chevrons.

(2) A soldier may lose both his domestic chevrons and the permission certificate authorizing him to wear foreign chevrons.

#### Probational Suspension of Punishment

19. (1) Para (3) of section 55 of the Penal Code is applicable under military jurisdiction with the modification that probationary suspensions cannot be granted, even if it appears unnecessary from a disciplinary point of view.

(2) Supplementary punishments 1), 2), and 4) (section 13) are to be carried out on the day of sentencing. Punishment 3) is to begin according to (4), section 17.

#### Chapter IV -- Attempt

20. Repealed by Law No 39, section 2 (1950).

21. This contradicts section 18 of the Penal Code; hence, it can be considered repealed.

#### Chapter V -- Reasons for Mitigation or for Exclusion of Allowances

##### Extreme Emergency

22. Extreme emergency (Penal Code, section 16) does not exclude allowance for an act which causes a violation of a military duty demanding the sacrifice of a life.



## Imprisonment Supplementing the Death Penalty

23. If a military crime subject to the death penalty is committed, section 51 of the Penal Code is used. The period of imprisonment cannot be less than five years.

## Serious Cases

24. (1) Punishment for serious cases, as defined in part II of this law, can be specified if the situation demands its application.

(2) Repealed by section 2 of Law No 39, 1950.

## Regulations Dealing With Minors

25. Laws pertaining to minors do not affect military jurisdiction unless a minor falls under military jurisdiction as a civilian.

## Chapter VI -- Perpetration of Several Crimes by One Person

26. This section became void through the repeal of Law 33, 1912.

## Chapter VII -- Reasons for Beginning Criminal Procedure and Reasons for Vetoing the Execution of a Punishment

### Postponement

27. Repealed by section 2 of Law No 39, 1950.

### Vetoing the Postponement of Supplementary Punishment

28. Repealed by section 2 of Law No 39, 1950.

## PART II -- Military Crimes

### Chapter I -- Mutiny and Instigation

#### Mutiny

29. Soldiers who openly oppose military service regulations commit mutiny.

#### Punishment of Mutiny

30. (1) Participation in mutiny is punishable by imprisonment for one to five years, and for one to ten years during war.

(2) Instigators and leaders suffer capital punishment.

#### Conspiracy to Commit Mutiny

31. Conspiracy to commit mutiny can be punished by imprison-

ment for six months to three years.

32. A person who reports a mutiny conspiracy while the consequences of that conspiracy can still be avoided shall escape punishment.

#### Appeal to Mutiny

33. A soldier who appeals to mutiny or transmits an appeal to mutiny can be punished according to para (1), section 30. If a mutiny took place because of such an appeal, he can be punished according to para (2), section 30.

#### Neglecting to Prevent Mutiny

34. (1) A soldier who learns of mutiny from creditable sources and neglects to report it at such a time when the mutiny can still be prevented, either through irresponsibility or because of negligence, can be punished by imprisonment for one year in peacetime, and for three years during wartime.

(2) Relatives of a convicted person cannot be punished (Penal Code, Section 29).

#### Instigation

35. A soldier who tries to arouse dissatisfaction in other soldiers toward the existence of the service, its order and discipline, or its service regulations can be punished by imprisonment for five years.

#### Supplementary Punishment

36. In the crimes described in sections 29-33, the loss of other rights can also be prescribed.

### Chapter II -- Cowardice and Panicky Behavior

#### Cowardice

37. A soldier shows cowardice if he fails to do his duty or does it imperfectly because of fear for his personal safety.

#### Punishment for Cowardice

38. (1) Cowardice can be punished by imprisonment for five years, or for one to ten years during wartime.

(2) Cowardice must be punished by death if the coward is a commander who allows his company to be taken prisoner or if he committed his cowardice in battle and it affected the behavior of others.

## Panic-raising

39. A soldier who spreads information about the military situation, thus giving rise to panic, is guilty of panic-raising and can be punished by imprisonment up to five years.

## Chapter III -- Desertion and Absence Without Leave, Noncompliance to Draft, Evasion of Service.

### Desertion

40. A soldier who deserts the service, leaves his post without permission, or fails to return to his post is guilty of desertion.

### Punishment of Desertion

41. (1) Desertion is punished by imprisonment from six months to five years in time of peace; from one to five years, or in serious cases from one to ten years, during time of war.

### Period of Desertion

42. The period of desertion begins on the day of desertion. During wartime, the period of desertion is not considered.

### Absence Without Leave

43. A soldier who leaves his post without permission for more than 24 hours, but who does not intend to escape all military service, is guilty of absence without leave.

### Punishment of Absence without Leave

44. (1) Absence without leave is punishable by imprisonment for six months, and in serious cases to one year.

(2) Absence without leave must be punished by imprisonment from six months to one year and, in serious cases, from six months to five years if the soldier left the army during mobilization, even if his absence lasted for less than 24 hours. If his intention was to leave the mobilized army permanently, the punishment can range from one to five years, and in serious cases from one to ten years' imprisonment.

### Mitigation of Punishment

45. (1) If the deserter or AWOL soldier presents himself voluntarily to military authorities within thirty days, the punishment should be the minimum prescribed by law. He can also receive a milder form of punishment.

(2) The rules of (1) are not applicable if the soldier deserted or attempted to desert to the enemy.

46. (1) A person who does not obey the draft call can be punished by imprisonment ranging from six months to two years, and, in serious cases, from six months to five years.

(2) If this was caused by negligence, punishment is imprisonment up to one year.

(3) If the draftee obeyed the call at a later time, and his absence lasted for less than two days, or if the case is of minor significance, the punishment is not more than six months' imprisonment.

(4) A person who disobeyed the draft call with the intention to escape military service permanently is guilty of desertion.

(5) A soldier who encourages people to commit the above crimes can be punished by imprisonment to two years, and, in serious cases, for six months to five years.

#### Evasion of Service

47. (1) A soldier who evades an important duty can be punished by imprisonment ranging from six months to one year. In serious cases or during wartime, the period of imprisonment ranges from six months to five years.

(2) If the act was committed by a commander during war and, as a result, one or more people lost their lives, a large amount of military material was destroyed, or a great setback in military operations was incurred, this act is punishable by death.

#### Conspiracy to Evade Service

48. (1) A soldier who conspires to leave the service permanently or to aid other soldiers to do the same can be punished by imprisonment ranging from six months to three years. In serious cases or during wartime, the period of imprisonment ranges from six months to ten years.

(2) If a person conspires to leave the service only temporarily, he can be imprisoned up to three years, or in serious cases and during wartime, for six months to five years.

#### Supplementary Punishment

49. In cases of desertion, the loss of various rights must also be pronounced.

#### Chapter IV -- Maiming Oneself or Others

##### Self-maiming

50. (1) A soldier who maims himself in order to become unfit for service, who is maimed by others, or who ruins his health by his own hand or by the hand of others is guilty of self-maiming.

(2) If the deed was committed to escape service permanently, the punishment is six months' to three years' imprisonment. In serious cases and during wartime, it is punishable by

six months' to ten years' imprisonment.

(3) If the deed was committed to escape service only temporarily, the punishment is imprisonment for not more than three years. In serious cases and during wartime, the period of imprisonment ranges from six months to five years.

#### Maiming of Others

51. Soldiers who maim other soldiers to permanently or temporarily disable them are to be punished according to the rules of section 50.

#### Chapter V -- Insubordination

##### Negligence of Respect

52. A soldier who neglects to respect his superior is guilty of insubordination and can be imprisoned for three months, and in serious cases to one year.

##### Slandering One's Superiors

53. (1) A soldier who slanders his superior can be imprisoned for not more than one year, but in serious cases to five years.

(2) Slander can be punished only by authorization if the slander was committed in such a way that it requires an authorization of punishment, as defined in Law 41, 1914.

(3) Evidence need not be submitted if, at the time of the slander, a superior was present and on duty, or if the evidence would endanger the interests of the military service.

(4) Insubordination can be judged without evidence if the circumstances point toward the existence of the slander.

##### Application of Law 41, 1914 (Defense of Honor)

54. Unless this law rules otherwise, insubordination cases falling under the category of section 53 should be judged according to Law 41, 1914, and its amendments.

##### Slander of Superiors Before Authority

55. A soldier who slanders his superior before authority (according to the definitions in BV No 20 or in BHO, page 207) can be imprisoned for not more than two years.

##### False Accusation of a Superior

56. (1) A soldier who falsely accuses his superior (as defined in Penal Code, section 227-230, BHO page 202-206 and 210) can be imprisoned for insubordination according to the Penal Code, chapter XIII, but the period of imprisonment should last an

additional year than provided for in the civil code.

(2) Para (1) is disregarded if section 227 (3) of the Penal Code is applicable (as specified in page 212 in BHO).

#### Assaulting a Superior

57. (1) A soldier who assaults his superior, uses other violent means against him, or threatens him dangerously can be imprisoned for six months to five years, and in serious cases for six months to ten years.

(2) If the assault occurred during wartime and if the superior was on duty, the punishment is death.

#### Killing a Superior

58. (1) A soldier who kills his superior is subject to capital punishment.

(2) Penal Code sections 279-281 (BHO page 351-353) do not apply. If the case is defined as belonging under Penal Code section 282 (BHO page 354), the present section does not apply.

(3) Accessory after the fact in a killing is punishable by imprisonment for six months to five years, and in serious cases and during wartime, from one year to ten years.

(4) In applying the provisions of this section, the loss of various rights can also be pronounced.

#### Disobeying Service Orders

59. (1) Disobeying a superior's orders can be punished by imprisonment to one year; in serious cases, up to three years.

(2) If the disobedience took the form of refusing a command, the punishment can range from six months to two years, and in serious cases, from six months' to ten years' imprisonment.

(3) If the denial of a command occurred during wartime and was coupled with assaulting or threatening the soldier's superior, or because of the act one or more men lost their lives, a large amount of military material was destroyed, or military activities suffered a setback, the crime is punishable by death.

#### Strong Emotion

60. If a soldier committed the crimes listed in sections 52, 53, 57, 58, or 59 immediately after receiving great injury from the superior, the punishment may take a milder form.

#### Noncompliance of Service Orders Due to Negligence

61. (1) This crime is punishable by imprisonment up to three months; in serious cases, to two years.

(2) If the crime was committed during wartime, it is punishable by imprisonment to three years, and in serious cases to five years.

## Disobeying a General Order

62. (1) A soldier who disobeys a general order, whether willfully or from negligence, can be imprisoned to six months; in serious cases, to two years.

(2) If the act occurred during wartime, was willful, and because of it one or several men lost their lives, a large amount of military material was destroyed, or military activities suffered a setback, this act is punishable by death.

## Chapter VI -- Crimes Committed Against Military Guards

### Definition of a Guard

63. A guard is a soldier who is on guard duty in accordance with military service orders.

### Neglect of Respect

64. A soldier who neglects to respect a guard in his presence can be imprisoned up to three months; in serious cases, up to one year.

### Slandering a Guard

65. (1) Slandering a guard is a crime and is punishable by imprisonment to one year; in serious cases, to five years.

(2) In order for criminal action to be taken against the slanderer, the slander must be punishable ex officio, as specified by the Penal Code.

(3) Other rules of the Penal Code cannot be applied to cases specified in this section.

### Assaulting a Guard

66. (1) A soldier who assaults a guard, uses other violent methods against him, or threatens him dangerously can be imprisoned for six months to ten years.

(2) If the act was committed during wartime, it is punishable by imprisonment from ten to fifteen years.

### Killing a Guard

67. (1) Killing a guard is punishable by death.

(2) Paras (2), (3), and (4) of section 58 of this law are also applicable here.

### Using Force Against a Guard or Threatening Him Dangerously

68. (1) If a soldier uses force against or dangerously threatens a guard, whereby the guard is prevented from doing his duty or is forced to act against his duty, such soldier can be

imprisoned from six months to ten years.

(2) If the act was committed during wartime, imprisonment is from ten to fifteen years.

#### Conspiracy to Lure a Guard Away From His Duty Post

69. A soldier who conspires to lure a guard away from his duty post can be imprisoned up to six months; in serious cases, to three years.

#### Disobeying a Guard

70. (1) A soldier who disobeys a guard can be imprisoned up to six months; in serious cases or during wartime, to three years.

(2) If the act of disobedience was refusal to obey an order, punishment can range from six months to one year; in serious cases or during wartime, from six months to three years.

(3) If the disobedience was coupled with assault, other violent action, or dangerous threats against the guard, punishment can range from six months to ten years.

(4) If the act was committed during wartime and consequently one or several men lost their lives, a large amount of military material was destroyed, or military operations suffered a setback, the punishment is death.

#### Committing a Crime Against a Guard Under Intense Emotion

71. If a soldier commits a crime specified in sections 64-68 and 70 against a guard immediately after strong provocation, punishment can take a milder form.

#### Noncompliance of a Guard's Orders Because of Negligence

72. This crime is punishable by imprisonment to three months; in serious cases or during wartime, to five years.

#### Chapter VII -- Abuse of Power and Other Crimes Committed by Superiors

##### Slandering a Subordinate

73. (1) This crime is defined as abuse of power and can be punished by imprisonment to six months; in serious cases, to three years.

(2) See para (2) of section 65.

(3) If evidence would endanger military interests, such evidence does not need to be produced.

(4) Unless this law states otherwise, abuse of power is punishable according to the specifications in the Penal Code.



#### Assaulting and Tormenting a Subordinate

74. (1) This crime is punishable by imprisonment ranging from six months to three years; in serious cases, from six months to five years.

(2) Para (1) is applicable also to unlawful mental torment.

(3) If a superior committed a crime specified in sections 73 and 74 upon observing provocative or outrageous behavior on the part of the soldier, the punishment can take a milder form.

#### Favoritism Towards Subordinates

75. Favoritism is punishable by imprisonment to six months; in serious cases, to one year.

#### Unlawful Disciplinary Measures

76. A superior who unlawfully disciplines a subordinate can be imprisoned for up to six months; in serious cases, to two years.

#### Violation of Personal Freedom

77. (1) Unlawful arrest of a subordinate can draw a prison term of up to six months; in serious cases, to two years.

(2) If the unlawful arrest exceeded 15 days, section 195 of the Penal Code is applicable (BHO page 134).

#### Curtailment of the Right to Complain

78. A soldier who forces his subordinate to relinquish his complaint or fails to transmit or act upon it can be imprisoned up to six months; in serious cases, to two years.

#### Financial Mishandling of a Subordinate

79. A soldier who unlawfully deducts from his subordinate's financial allotment or does not pay the same can be imprisoned up to six months; in serious cases, to two years.

#### Employment of Subordinates for Private Purposes

80. A soldier who employs his subordinates for private purposes can be punished by imprisonment up to six months.

#### Neglect of a Superior's Orders

81. (1) A soldier who in capacity as a superior fails to execute a command designed to combat emergency situations can be imprisoned for up to five years; in serious cases, from six months to five years.

(2) A soldier who fails to carry out orders given to

him can be imprisoned up to three years; in serious cases, for six months to three years.

(3) If an order was not executed because of negligence, the punishment is one year's imprisonment.

#### Neglect of Care

82. (1) A soldier who fails to take care of the provisioning, housing, and protection of his subordinates can be punished by up to five years' imprisonment; in serious cases, from six months' to five years' imprisonment. During wartime the punishment can range from six months to five years; in serious cases, from six months' to ten years' imprisonment.

(2) If the crime was committed out of negligence, the punishment is imprisonment up to three years.

#### Neglect of Supervision

83. (1) A soldier who fails to supervise his subordinates in carrying out his orders can be imprisoned for one year; in serious cases, up to five years. During wartime the imprisonment can range from six months to five years; in serious cases, from six months to ten years.

(2) If the supervision was not done because of negligence on the part of the superior, the period of imprisonment can be up to six months; in serious cases, to three years.

#### Repeated Offenses

84. If a superior has already been punished for the above crimes twice and less than three years have passed since the lapse of his last punishment, the punishment for the third occurrence can range from six months to five years.

### Chapter VIII -- Abuse of Service Power

85. A soldier who abuses the power given him by the military service, uses his office for illegal gains, or causes illegal harm to individuals or to the State can be imprisoned from six months to one year; in serious cases, from six months to five years.

### Chapter IX -- Crimes Against One's Comrades

#### Failing a Comrade

86. A soldier who fails to aid a comrade in a critical situation, although he could help him without serious harm to himself, is subject to imprisonment to six months; in serious cases, to two years.

#### Intrigue Against a Comrade

87. A soldier who intrigues against his comrade to their

mutual superior is subject to six months' imprisonment; in serious cases, up to one year.

## Chapter X -- Crimes connected with the Service

### Disobeying Guard Duty Assignment

88. (1) A soldier who disobeys a general or special guard duty assignment is subject to imprisonment up to five years; in serious cases, the imprisonment can range from six months to five years.

(2) If the act was committed out of negligence, the punishment is a maximum of two years', during wartime a maximum of five years', imprisonment.

(3) If the act was of minor importance, the maximum punishment is six months' imprisonment.

(4) If the act was committed during wartime and resulted in a great harm which could have been foreseen by the soldier, the punishment is death.

### Disobeying Other Service Duties

89. (1) A soldier who disregards his duty while on duty or in another service which demands attention is subject to six months' imprisonment; in serious cases or during wartime, a maximum of three years. If the act resulted in great harm which could have been foreseen by the soldier, imprisonment can range from six months to five years.

(2) If the act was committed out of negligence, the term of imprisonment is a maximum of three months; during wartime, a maximum of one year.

### Drunkenness on Duty

90. (1) A soldier who is drunk on duty or becomes drunk after receiving service orders and is hence unable to carry out his duties can be imprisoned up to one year. If the drunkenness resulted in great harm which could have been foreseen by the soldier, the punishment can be up to five years' imprisonment.

(2) If the act was committed out of negligence, the punishment is a maximum of three months' imprisonment; during wartime, a maximum of one year's imprisonment.

### Repeated Offenses

91. If a soldier has already been punished for the above crimes twice and less than one year has passed since the time of his last punishment, the penalty for the third occurrence can be imprisonment up to one year.

## Chapter XI -- Forgery of Service Documents

### Making False Service Documents

92. (1) A soldier who makes a false service document or forges a valid one is subject to six months' imprisonment; in serious cases, up to three years in prison, if the act does not fall under more serious categories.

(2) If the act causes great military harm, the imprisonment period can range from six months to five years; in serious cases, for a term of one year to five years.

#### Forgery Committed in Abuse of Service Power

93. A soldier who writes false facts in a service document, destroys or conceals a document in order to make it unavailable for evidence, or makes a false document can be punished by six months' to five years' imprisonment; in serious cases, for one to ten years, if the act does not fall under a more serious category.

#### Supplementary Punishment

94. Loss of other rights must also be pronounced for the above acts.

### Chapter XII -- Crimes Concerning Military Secrets

#### Failing to Keep a Military Secret

95. (1) A soldier who commits this crime is subject to six months' to five years' imprisonment.

(2) If the act was committed out of negligence, the punishment is a maximum of six months; in serious cases, a maximum of three years' imprisonment.

#### Gaining Access to Military Secrets Illegally

96. The punishment for this crime is six months' to five years' imprisonment.

### Chapter XIII -- Crimes of Reporting and Transmitting Reports

#### False Reporting

97. A soldier who knowingly falsely reports or transmits a service matter can be punished by six months' imprisonment; in serious cases or during wartime, the term of imprisonment can range from six months to five years.

#### Neglecting To Report

98. A soldier who neglects to report important service matters is subject to three months' imprisonment. In serious cases or during wartime, the term of imprisonment can range from six months to three years.

#### Failure To Transmit a Report

99. A soldier who fails to transmit an urgent service report immediately can be imprisoned up to six months; in serious cases or during wartime, from six months to five years.

#### Destroying or Losing a Secret Document

100. (1) A soldier who willfully destroys or loses a secret service book, secret document, or secret object or causes the loss of same is subject to imprisonment up to three years, if the act does not fall under a more serious category. In serious cases the term of imprisonment ranges from six months to five years.

(2) A soldier who commits the above act out of negligence is subject to one year's imprisonment; in serious cases, up to three years' imprisonment.

(3) If the act was committed out of negligence and the soldier reported it immediately, he is subject to six months' imprisonment; in serious cases, up to one year.

#### Chapter XIV -- Endangering and Neglecting to Secure Military Material.

##### Neglecting To Care for Military Material

101. A soldier who neglects to take care of military material entrusted to him, either willfully or from negligence, is subject to six months' imprisonment; in serious cases, up to three years.

##### Endangering Military Material.

102. (1) A soldier who endangers expensive or great amounts of military material, either willfully or from negligence, is subject to six months' imprisonment; in serious cases, up to five years.

(2) If the act described in (1) resulted in great harm to military operations or caused the loss to the enemy of a great amount of military material and if this could have been foreseen by the soldier, the punishment for this act is imprisonment from six months to ten years.

##### Neglecting To Secure Military Material

103. (1) A soldier who neglects to secure the safety of large amounts of military material, either willfully or from negligence, can be punished with six months' imprisonment; in serious cases, to five years.

(2) If this willful act resulted in great harm to military operations, the loss of great amounts of military material, or if large amounts of military material fell into the hands of the enemy, and if this could have been foreseen by the soldier, the

punishment is from six months' to ten years' imprisonment.

## Chapter XV -- Crimes Committed Against Military Property

### Damage

104. (1) A soldier who damages or destroys military property is subject to six months' imprisonment; in serious cases, from six months to five years.

(2) If the act described in (1) resulted in great harm to military operations or caused the loss of military material, or if large amounts of military material fell into the hands of the enemy and this could have been foreseen by the soldier, the punishment is imprisonment for six months to ten years.

### Using Material for Purposes Other Than Those Intended

105. A soldier who does not keep military equipment in its prescribed place or uses it for purposes other than those intended is subject to imprisonment for six months; in serious cases, to five years.

### Theft of Service Equipment

106. (1) A soldier who steals military equipment is subject to six months' imprisonment; in serious cases, five years.

(2) A soldier who loses military equipment, either willfully or from negligence, will be punished according to (1).

107. (1) A soldier who seriously breaches his duty in handling or caring for military property, thus causing significant harm to the State, is subject to five years' imprisonment.

(2) If the act was committed during wartime or if the purpose was illegal personal profit, the term of imprisonment is six months to five years.

(3) If the act mentioned in (1) was committed from negligence, the punishment is one year's imprisonment; in serious cases, three years.

### Stealing Booty

108. A soldier who steals booty taken by him can be punished by six months' imprisonment; in serious cases, three years.

### Supplementary Punishment

109. The acts mentioned in sections 104, 106 (1), and 107 require the loss of various rights, to be pronounced along with the term of imprisonment.

## Chapter XVI

### Crimes Committed Against International Military Conventions

## Robbing the Dead, the Injured, and the Sick

110. (1) A soldier who steals objects (other than booty) from the dead, injured, or sick of either army on the battlefield can be imprisoned for six months to five years; in serious cases, for one to ten years.

- (2) The punishment is one to fifteen years' imprisonment if:
- 1) a soldier has already been punished for the above crimes in the past and less than ten years have passed since the end of his last punishment.
  - 2) a soldier attempted murder or committed assault in connection with the crime described in (1).
- (3) If a soldier committed murder in connection with the crime described in (1), the punishment is life imprisonment.
- (4) The loss of various rights must be pronounced along with the term of imprisonment.

## Abuse of Red Cross Emblems

112. A soldier who uses a Red Cross emblem to prepare or execute a military activity, uses its protection for the same, or damages or destroys material under Red Cross protection as a military activity is subject to imprisonment from six months to one year; in serious cases, from six months to five years.

## Use of Forbidden Weapons

113. A soldier who uses a weapon or tactic against the enemy which is specifically forbidden in our army can be imprisoned from six months to five years; in serious cases, from six months to ten years.

## Breach of Cease-fire

114. A soldier who continues fighting after he has been informed that a cease-fire is in effect or who otherwise breaks the conditions of the cease-fire is subject to six months' to five years' imprisonment; in serious cases, six months to ten years.

## Injuring a Truce Delegate

115. (1) A soldier who willfully kills a truce delegate or his companion is subject to capital punishment.

(2) A soldier who injures a truce delegate or his companion is subject to six months' to ten years' imprisonment.

(3) A soldier who hurts, abuses, or unlawfully withholds a truce delegate or his companion can be imprisoned up to six months; in serious cases, two years.

(4) In cases (1) and (2), the loss of various rights must be pronounced also.

## Chapter XVII -- Crimes Committed Against the Population of Occupied Territories

### Looting

116. (1) A soldier who engages in looting a territory occupied by the army is subject to six months' to five years' imprisonment; in serious cases, six months to ten years.

(2) If a soldier employs force or threats in looting, the punishment is for robbery and is specified in Chapter XXVII of the Penal Code.

### Rape

117. A soldier who commits rape (Penal Code section 232, BHO page 326) against a national of a territory occupied by the army or insults the modesty (Penal Code section 233, BHO page 327) of same is subject to one to ten years' imprisonment; in serious cases, to capital punishment.

### Injuring the Population of Occupied Territories

118. (1) A soldier who assaults a person belonging to a territory occupied by the army is subject to six months' to three years' imprisonment

(2) If the act is committed with a weapon which is used for personal defense, the punishment is imprisonment for six months to five years.

### Murder

119. A soldier who commits murder as specified in Penal Code sections 279 or 280 (BHO page 351 and 352) against the inhabitants of a territory occupied by the army is subject to capital punishment.

### Supplementary Punishment

120. The actions described in this chapter involve the loss of various rights.

## PART III -- Regulations Concerning the Police

### Application of the Military Penal Code to Members of the Police

121. (1) The military penal code and the modifications made in this part are applicable to the members of the police.

(2) Policemen are equated with soldiers in the military penal code.

(3) Sections 12, 14, 15, and 46 of the present law do not apply to policemen.

(4) Wherever the word "military" is used in the present



law, "police" is meant when dealing with members of the police.

#### Loss of Office. As Special Supplementary Punishment Against Members of the Police

122. (1) "Reduction in rank" (section 13, (1), 1) ) is to be substituted for loss of office in cases dealing with members of the police.

(2) Loss of office must be ruled if a member of the police cannot keep his office without endangering discipline, harming the service, or if his holding office causes great injury to the police.

(3) A policeman so convicted loses the rank (position), allotment, and privileges of his former position.

(4) In the event of loss of office, the court can mitigate the verdict by retaining all or some of the privileges due the convicted person from the State.

#### Placing Members of the Police Under Military Jurisdiction

123-127. Repealed by section 2 of Law No 31, 1951, and section 9 of Law No 17, 1954.

#### Definition of Higher Authority

128. A law issued by the Ministers of the Interior and Defense specifies "higher authority" in the police when the military ordinances speak of "higher authority."

### PART IV -- Miscellaneous Orders

#### Corporal Punishment

129. The present law does not affect those rules according to which certain crimes may be punished by corporal punishment, waiving military court procedure.

#### Punishment of Drunkenness by the Civil Penal Code

130. Repealed by (2) of Bp 23/B.

#### Repeated Offenses

131. Crimes specified in sections 106 (1), 108, 110, and 116 are to be punished according to section 35 (5), Law XLVIII, 1948, when committed repeatedly. Fencing, if considered a crime, is to be punished according to section 370 (1) and (2) of the Penal Code.

#### Repealed Regulations

132. Upon announcement of this law, the following laws

lose their validity:

- (1) Law II, 1930, on the Military Penal Code.
- (2) Law III, 1930, sections 76, 84, 89, 91, 93, 95, on modifications of ordinary crimes and their applicability to the Military Penal Code.
- (3) Law XXXIV, 1930, section 124, on the simplification of court procedures.
- (4) Law II, 1939, sections 181 and 183 (3), on defense.
- (5) Law 100, 1946 (M. E.), on punishment for desertion from the police (announced in Magyar Kozlony (Hungarian Review), No 3).

#### Effective Date of This Law

133. (1) The date upon which this law becomes effective will be determined by the Ministers of Justice, Interior, and Defense. They will also enforce this law.

(2) Crimes already committed by members of the police fall under the effect of this law if their trial dates have not yet been announced.

(3) In cases where a law refers to a law repealed by this law, the ruling of the present law dealing with the subject must be applied.

## HUNGARY

### MODIFICATION OF CERTAIN COURT PROCEDURES

Following is the translation of Public Law No 8,  
from Hatalyos Jogszabalyok Gyujtemenye, 1945-1948,  
Vol I, Budapest, 1960, page 321./

#### Rules Concerning the Extent of Military Jurisdiction

1. Repealed by (1), section 3 of Law No 16, 1958.
2. (1) Any criminal act committed by military personnel is within the jurisdiction of the Military Penal Code.  
(2) Persons engaged in the Armed Police Service are equated with soldiers; Law LXII, 1948 (Military Penal Code), and regulations modifying this law are applicable to such persons.
3. To be found in (3) of section 98 of Bp.
4. (1) Court procedures begun before the announcement of this law are to be concluded according to the previous laws if the military has already presented its case before this law took effect.  
(2) This law invalidates the following laws:  
Law No 5, 1950, dealing with the Home Security Forces;  
Law No 6, 1950, placing prison employees under military jurisdiction;  
Law No II, 1951, placing members of the State fire departments under military jurisdiction;  
Law No 6, 1952, which modified Law LXII, 1948 (Military Penal Code), except section 1, which deals with members of the Air Defense Organization.
- (3) Repealed by section 1 of Law No 62, 1957, and by (2), section 38 of Law No 34, 1957.

#### Rulings Concerning Traffic Courts

5. (1) Traffic courts and the traffic college of the Hungarian Supreme Court are terminated by the announcement of this law.  
(2) Military courts are to be meant by the term (special court," according to (1).
6. (1) To be found in section 31 of Law II, 1954.  
(2) To be found in section 43 of Law II, 1954.  
(3) To be found in section 22 of Bp.
7. (1) Court procedures in progress at various traffic courts at the time of the announcement of this law are to be concluded by a court authorized by general regulations to deal with them. Court procedures in progress at the traffic college of the Hungarian Supreme Court are to be transferred to the

criminal college of that court.

(2) This law repeals the following laws:

Sections 34, 35, and 47 of Bsz;

Section 23/C of Bp;

Para (2), section 9 of Bpe;

Law No 3, 1955, dealing with the enlargement of the jurisdiction of traffic courts.

8-14. To be found in sections 46, 48, 50, 99, 141, 151, 152/A, 195, and 226 of Bp.

#### Rules Concerning the Execution of Punishment

15. To be found in section 60 of Law II, 1954.

16. To be found in (4), section 239 of Bp.

#### Effectuation and Execution

17. The present law comes into effect on 2-1-57; its execution will be carried out by the Ministers of Justice and the Interior and the Supreme Attorney.

HUNGARY

EXECUTION OF SHORT PRISON TERMS  
OF MILITARY PERSONNEL

Following is the translation of Public Law No. 5,  
from Hatalyos Jogszabalyok Gyujtemenye, 1945-1948,  
Vol I, Budapest, 1960, page 270./

Date of Announcement: 23 February 1955.

1. To emphasize the educational and correctional purposes of punishment, personnel sentenced to short terms of imprisonment can be kept in a correction battalion or in a military jail. This regulation is applicable only to military personnel, and only if the military court rules this form of imprisonment.

2. Military courts can rule imprisonment in a correction battalion only if a soldier's sentence is between three months and two years, if he can exercise his voting rights, and if the court feels this type of punishment useful.

3. (1) The correction battalion is a military institution where the purpose of correction is carried out by a strict military education.

(2) A prisoner may not possess arms or wear rank, and is limited during his stay in a correction battalion in the rights and favors granted to other members of the People's Army.

(3) Conditional release of a prisoner from the correction battalion can be granted by the Minister of Defense. The conditionally released soldier will return to his regular battalion and continue regular service.

(4) Time spent in a correction battalion does not count towards fulfillment of a soldier's term of service.

(5) Detailed rules concerning the organization and operation of correction battalions are set by the Minister of Defense.

4. (1) The military court may rule that a soldier receiving a term of imprisonment of less than three months must spend this period in a military jail, especially if he is to stay in military service after termination of imprisonment.

(2) Punishment in a military jail is carried out according to appropriate military regulations.

5. Imprisonment in a correction battalion or military jail is not considered as part of a criminal record.

6. This law takes effect on the day of its announcement; it will be executed by the Minister of Defense.

HUNGARY

PUBLIC LAW No 31, 1951

[Following is the translation of a law from Hatalyos Jogszabalyok Gyujtemenye, Vol I, Budapest 1960, pages 234-238.]

Execution, application, and coming into effect of Law III, 1951, in military criminal procedures.

Date of announcement: 12-11-1951; the law takes effect on 1-1-1951

Chapter I -- Effectuation of the Criminal Procedure (hereafter: Cp.) -- Laws Repealed and Staying in Effect

Effectuation of Cp.

1. Cp., as expressed in Law III 1951, takes effect on 1 January 1952.

Laws Repealed

2. Unless the following paragraphs take exception, all previous laws on Cp., now covered by Law III 1951, lose their validity. Such laws are:

Law XXXIII, 1896, dealing with criminal procedure;

Law XXXIII, 1897, dealing with jury trials;

Law XXXIV, 1897, dealing with the coming into effect of Cp.

Law XIII, 1914, modifying the rulings on jury trials;

Chapter IV of Law XIV, 1914, dealing with the press;

Sections 29 and 30 of Law XLI, 1914, dealing with the defense of honor.

Law XXIX, 1921, dealing with the simplification court procedure.

Sections 13, 35, 49, and 50, of Law X, 1928, dealing with regulations of some problems of court procedure;

Chapter III (except section 118) of Law XXXIV, 1930, dealing with the simplification of court procedure;

(2) of section 109 of Law XIX, 1934, dealing with the Service Code of the Hungarian Merchant Marine;

Section 8 of Law XVIII, 1938, dealing with press excesses committed against the order of the country;

Procedural parts of Laws VII, 1945, and XXXIV, 1947, (dealing with the defense of the republic and democratic order);

Chapters I and II of Law XIV, 1946, dealing with the termination of indictment councils, speeding the press procedures, and dissolution of State prisons;

Procedural parts and section 51 of Law XLVIII, 1948, dealing with some shortcomings of criminal laws;

Law XI, 1949, dealing with the participation of people in rendering the justice and with the simplification of appeal;

Law No 3, 1950, dealing with some criminal procedures;

Law No 12, 1950, dealing with the termination of investigation in criminal cases;

Section 67 of Law No 30, 1950, dealing with planned currency economy;

Sections 37 and 38 of Law No 39, 1950, dealing with the effectuation of the general regulations of the Penal Code;

Sections 8-11 and (3) of section 13 of Law No 46, 1950, dealing with modifications of the jurisdiction of the Ministry of Justice;

Law 1363, 5-6-1945, M. T., dealing with the practice of house arrest and bail;

Law 1982, 5-23-1945, M. T., dealing with use of confiscated objects;

Laws 4172, 7-31-1949, Gov't; 4198, 8-13-1949, Gov't; 4290, 10-22-1949, M. T.; 4312, 11-12-1949, M. T., dealing with

the execution of Law XI, 1949;

Section 9, of Law 177,600, 12-20-1950, Ministry of Justice, dealing with the execution of Law No 46, 1946.

#### Laws Staying in Effect

3. The following laws stay in effect after the present law comes into effect, until further notice:

Section 27 of Law XLI, 1914, dealing with the defense of honor;

(2) of section 96 of Law III, 1930, dealing with the effectuation of the Military Penal Code;

Sections 106 and 107 of Law XIX, 1934, dealing with the Service Code of the Hungarian Merchant Marine (the latter with the exception that in it sections 97 and 126 of the Cp. must be used instead of sections 141, 156, and 176 of Law XXXIII, 1896;

Law XVIII, 1937, dealing with extraterritoriality and personal inviolability;

(4) of sections 51 and 221 of Law II, 1939, dealing with the army;

The last paragraph of section 6 of Law V, 1944, with the exception that section 144 of Cp. must be used instead of section 7 of Law XXXIII, 1896; also the rules concerning punishment of section 7 of same law; also section 8 of same law (in its entirety). Sections 6 and 7 of this law were repealed by sections 6 of Law No 21, 1958;

Rulings presently in effect concerning the workers' court, its area of jurisdiction and its procedures, as laid down in Law XXIII, 1947, and in its modifying laws (Law No 70,000, 11-6-1947, Ministry of Justice; Law 3350, 3-21-1948, Gov't; Law 4940, 4-25-1948, Gov't; Law 6860, 6-24-1948, Gov't; Law 2560, 3-19-1949, Gov't; (2) and (4) of section 17 of Law No 4, 1950; (3) and (4) of section 1 of Law 23,300, 4-7-1950, Ministry of Justice). Other parts of Law XXIII, 1947, and laws modifying it were repealed by section 4 of Law No 22, 1958.

Section 8 of Law XXVI, 1948; dealing with the citizenship of Hungarians abroad;

Procedural rulings of section 18 of Law XLVIII, 1948, dealing with some shortcomings of criminal laws;



Law No 19, 1949, dealing with misdemeanors (the act of misdemeanor, due to Law No 17, 1955, does not exist anymore);

(1) and (2) of section 13 of Law No 46, 1950, dealing with modifications in the organization of the Ministry of Justice (all other parts of the above law were repealed by section 67 of Law II, 1954);

Section 9 of Law No 47, 1950 and (3) of section 24 of Law 6520-233, 12-31-1950, Ministry of Finance, dealing with financial crimes (all other parts of the above laws were repealed by section 12 of Law No 3, 1954);

Sections 1-4 of Law 480, 1-16-1949, Gov't, dealing with gold and foreign currency obtained by the state in the course of criminal procedures and transfer of same to the Hungarian National Bank;

Law 660, 1-22-1949, Gov't, dealing with the illegal use of passports and illegal border crossing;

Criminal rulings of Law 4012, 5-3-1949, Gov't, dealing with civil and criminal aspects of the peace treaty;

Law No 24, 1-21-1950, M. T.; dealing with the costs of detention;

Law No 23,300, 4-7-1950, Ministry of Justice, with the exception of (2) of section 1 and with substituting section 150 of Cp. in place of section 107 of Te., sections 220-223 and 229 of Cp. in place of sections 460-462 and 477 of Law XXXIII, 1896, also in section 12 of Law No 94, 4-17-1951, M. T. must be substituted Law 2660, 3-25-1949, Gov't. Other parts of the above law were repealed by section 9 of Law No 17, 1954;

Law No 272, 11-12-1950, M. T., dealing with the remuneration of lay assessors.

4. Sections 23-26 of Law No 39, 1950, dealing with the effectuation of the general provisions of the Penal Code, stay in effect.

5. Repealed by Law No 18, 3-10-1954, M. T.

Chapter II -- Rules concerning the Execution of Cp. Transitory Rules

Application of Cp. to Cases in Progress

6. Repealed by section 7 of Law No 17, 1954.

7. Repealed by section 7 of Law No 17, 1954.

#### Effect of Verdict Pronounced in Criminal Procedure on Civil Procedure

8. A verdict of the criminal court takes effect (as described in (1) of section 9 of Cp.) only if it became effective after the Cp. came into effect.

#### Sphere of Authority -- Qualification

9. Crimes described in parts a to g of section 23. of Cp. refer to laws as follows:

a. crimes against the peace of the nations: Law V, 1950.  
crimes against the People's Republic: Law VII, 1946 and its modifications; Chapters I and IV, as well as those parts that are still valid of Chapter VI, Part II of Law V, 1878 (Penal Code); sections 58-71 of Law III, 1930; sections 2-4 of Law XVIII, 1934; section 11 of Law XVIII, 1940.

b. war crimes and crimes against the people: Law VII, 1945.

c. breach of state and official secrets: Law No 21, 1951.

d. crimes committed against state property: Law No 24, 1950;  
crimes committed against the planned economy: Law No 4, 1950;  
crimes concerned with public supply and profiteering: (4) of section 9 of Law 8800, 7-28-1946, M. E., and 2) of (1) of section 17 of same law.

e. crimes concerned with foreign currency regulations: Law No 30, 1950.

f. crimes concerned with counterfeiting and passing false money: Chapter XI, Part II of the Penal Code and its modifications.

g. murder and manslaughter: sections 278-282, 2 of (1) and (2) of section 349., (1) of section 424, and (2) of section 431 of the Penal Code.

10. The primary sphere of authority of the county courts and the secondary sphere of authority of the Supreme Court in cases tried before the county courts in accordance with Law 177,600, 12-20-1950, Ministry of Justice, will remain unchanged after the Cp. comes into effect.

11. (1) Crimes falling under section 58-71 of Law III, 1930, sections 2-4 of Law XVIII, 1934, section 11 of Law XVIII, 1940, and Law No 30, 1950 can be tried only by the Budapest county court, except in cases specified below in (2).

(2) (1) is not applicable to cases a to c of section 57, of Law No 30, 1950, as well as in cases (1) of section 59 and e of section 57 of same law. All these cases are concerned with crimes committed with gold, platinum, and foreign currency, if the value of the valuables does not exceed 1,000 ft.

12. The fact that the present Cp. does not mention a given crime does not prevent its trial, based on older laws dealing with that crime.

13. Writs asked by other courts are supplied by the district judge designated by the senior judge.

District attorney -- Attorney general

14. Repealed by section 7. of Law No 17, 1954.

15. Matters concerning disciplinary investigation which had been handled previously by the examining judge are to be handled by the district attorney.

Temporary Arrangements at Arrest

16. Repealed by section 7 of Law No 17, 1954.

Temporary Arrangements at Appeals

17. Repealed by section 7 of Law No 17, 1954.

Recision of Judgment

18. (1) If a criminal was sentenced in absentia before the present Cp. took effect and if the criminal was discovered or gave himself up, a recision must be held, even when there was no motion, based on (4) of section 215 of the Cp., to retry the case.

(2) (1) is not to be applied if the trial is based on (6) of section 542 of Law XXXIII, 1896.

19. A case which belongs to the district court (according to the Cp.) must be retried at the district court, even if the first trial was held by the county court.

### Chapter III -- Rulings Concerning Military Criminal Procedures

#### Application of Cp. in Military Criminal procedures

20. (1) Unless the following paragraphs state an exception, the Cp. and the present law must be appropriately applied in military criminal procedures.

(2) (3) of section 40, the last sentence of (2) of section 146/A, the third sentence of (2) of section 195 of the Cp., and sections 13, 18, and 19 of the Bpe. cannot be used in military criminal procedures.

#### Military Courts and Their Jurisdiction

21. (1) Military courts operate in some larger garrisons and are attached to some higher military units.

(2) Military courts attached to these higher units have jurisdiction over the personnel of these units.

(3) Military courts operating in some larger garrisons have jurisdiction over crimes committed in their territories and are too minor to be tried by the courts mentioned in (2).

#### Exclusive Jurisdiction in Military Criminal Procedures

22. (1) Crimes committed by military personnel falling under the categories outlined in section 11 of the present law are to be tried by the Budapest Garrison Military Court.

(2) Repealed by (2) of section 1 of Law No 51, 1957.

#### Order of Voting in Military Courts

23. In the military court council, always the juror of lowest rank votes first.

#### Exclusion of Civil Action and Limitation of Civil Code in Military Criminal Procedures

24. (1) Civil action is excluded from military criminal proceedings; where the crimes would otherwise warrant civil action, the military district attorney acts.

(2) Civil code paragraphs are applicable in military proceedings only when they concern damage done to the army. They are used only when the military organization or attorney in charge

so requests. In any other case the civil law can be satisfied by other lawful means.

#### Investigation in Military Criminal Procedures

25. (1) Investigation of crimes committed by members whose organizations fall under military jurisdiction ( (1) of section 23/B of Cp.) is carried out by the police, by the military district attorney's agents, or by the agents of the criminal's commander.

(2) If the investigators mentioned in (10) are not immediately available, the investigation may be carried out by general investigatory organs.

#### Placing under Close Surveillance

26. A private can be placed under close surveillance when there is no reason for his preventive arrest, but the investigation or military discipline demands so.

#### Place Occupied by Disciplinary Measures in Military Criminal Procedures

27. (1) An act committed by members who fall under military jurisdiction (soldiers and policemen) and which does not warrant punishment exceeding one year can be tried and disciplined by the commander of the criminal. This is allowed only when the act is of minor danger to society.

(2) If the act is of minor importance, the military district attorney may order the commander to use disciplinary means of punishment, even if the law calls for imprisonment not exceeding five years.

(3) The military court may also act according to (2).

(4) In case of appeal the Supreme Court may overrule the judgment rendered by the primary court and return the case to the commander of the criminal for application of disciplinary action. The Supreme Court can also overrule the judgment rendered by the primary court toward the other decision; it may rule disciplinary action too mild and order retrial.

#### Costs of Military Criminal Procedures

28. All costs incurred in military criminal procedures are borne by the state.

#### Chapter IV -- Orders Concerning the Execution of Punishment

29. Death of the criminal does not exclude the legally rendered confiscation of his property or collection of fines.

30. The death penalty is to be carried out in an enclosed place by hanging. If this proves impossible, the manner of execution is shooting.

31. (1) Imprisonment must be spent at a prison (or workhouse) supervised by the Ministry of the Interior.

(2) Improvement and education of the criminal must be promoted by constant employment on work projects.

(3) The prisoner must carry out the work given to him.

(4) The prisoner is paid for his work.

32. Solitary confinement can be used only as a disciplinary measure.

33. (1) Prisoners sentenced to more than three months of imprisonment can be paroled if a prisoner has served three-quarters of his sentence and if he has done his work correctly, showed impeccable behavior, and if the granting of parole does not endanger society.

(2) Prisoners serving life terms can be paroled only after spending 15 years in prison.

(3) If other conditions are satisfied, a prisoner can be paroled after serving half of his term, provided he achieved extraordinary and exceptional progress in his work assignments. Life-termers can be released under the same regulations after spending 14 years in prison.

(4) Parole covers the remaining part of the term; in cases of life-termers, it constitutes eight years.

(5) Exiled persons (section 46 of Bta.) can not be paroled.

34. (1) During parole the convicted person must fulfill the conditions of parole.

(2) If the parolee violates the conditions of parole, the Minister of the Interior may suspend parole and send the parolee back to prison.

(3) Violation of parole is reported to the Minister of the Interior by the police. If the Minister orders the suspension of parole or if the circumstances bearing the necessity of preventive arrest exist, the police arrest the parolee and deliver him back to the prison (workhouse) from where he was released.

35. If the parolee is convicted of another crime while on parole, the Minister of the Interior may order the parolee back to prison even when, at the time of judgment, the parole has expired.

36. (1) If the prisoner is not sent back to the prison due to parole violation ( (2) of section 34, section 35), the prison term is considered completed at the expiration of parole.

(2) If the prisoner has been sent back to prison, the time spent on parole does not count toward the fulfillment of his prison term.

#### Chapter V -- Miscellaneous Orders

##### Authorization for Determination of Temporary Arrangements and Regulation of Collection of Criminal Costs

37. (1) Repealed by section 7 of Law No 17, 1954.

(2) People's jurors participating in trials are regulated by an order of the Minister of Justice. This order is concerned with their oath-taking, activity, and sphere of authority.

(3) The Minister of Justice is authorized to work out, together with the Minister of Finance, an order concerning the collection of the costs of criminal procedures. Until that order is announced, section 118 of Law XXXIV, 1930, and Law XLIII, 1890, and their modifications remain in effect.

##### Proof of Evidence

38. (1) The accused should present his proof of evidence at his trial, at the latest. Evidence may be presented by the accused's attorney after the interrogation of the accused. This ruling is valid for slander cases.

(2) The court may limit the time available for refuting the evidence offered by the accused.

(3) After the limit has expired for the presentation of evidence and its refutation, new facts can be introduced only if their presentation does not delay the trial of the case, or if the pre-

sentation was offered in the allowed time but was rejected, or if the person who introduces the new facts can show he could not have known the new facts before.

#### Reporting Crimes Falling Under Law No 4, 1950

39. To be found as section 18 of Law No 4, 1950.

#### Financial Rulings

40. To be found as (4) of section 51 of Law II, 1951.

41. To be found as (3a) of section 55 of Law II, 1951.

42. To be found as (4) and (5) of section 55 of Law II, 1951.

43. In cases falling under (2) and (4) of section 55 of Bta., the parole must be granted according to the regulations of (2-5) of section 228 of the Cp.

#### Effectuation

44. The present law comes into effect 1 January 1952.



POLAND

NEW TELEMETRIC AMPLIFIER FOR SURFACE PROJECTILES

[Following is the translation of an article by Major Krzysztof Checinski in Zołnierz wolności (Soldier of Freedom), Vol. 12, No 77, Warsaw, 3 April 1961.]

The workers of military scientific-research centers are people about whom little is said. They remain in the shadow. Often they remain unknown even when their inventions, discoveries, or improvements exceed the framework of the originally posed problems connected with military affairs. This sort of occurrence is becoming ever more frequent. Contemporary military technology is intimately connected with many branches of science and general technology. To what extent, I found out recently in an Armament Testing Center.

What sort of problems connected with the development of general technology would be most interesting to the reader of "Soldier of Freedom?" This was the problem presented to the research workers of the Center, when I arrived there unannounced towards the end of March. There were many suggestions; the workshop of special equipment was the final choice. Why was it chosen? I shall quote the words of the secretary of the party organization there, Kpt. Mgr. Inz. Josef Michalczak:

"In scientific research centers, civilian or military, one objective is the scientific application of results obtained by many tedious attempts and investigations. Therefore, the basic work tools are measuring instruments of all kinds. Upon their precision depends, to a large extent, not only the accuracy of results, but also progress in the area of engineering design in general."

We accepted the invitation to become acquainted with this scientific workshop.

In a large room filled with black boxes containing measuring instruments, we were greeted by a young man in a lab coat. He had been warned about our visit and without further ado started to describe to us a piece of equipment, which at first sight looked quite ordinary. He was discussing a direct current amplifier, an indispensable electronic part of measuring equipment.

A Million Megacycles: Too Much or Too Little?

Trying not to confuse our guide, I did not interrupt him,

hoping that at an opportune moment I could ask him if he has made any improvements of his own. But our conversation went along a different path than I originally intended. What apparently betrayed me was the unsure expression on my face as I listened to his explanations.

My guide apparently had guessed that I did not understand everything in his rather hurried explanation and had moved on from theory to illustration.

"What kind of a watch do you have, Major Comrade?"

I stretched out my hand.

"Ah, you have an ordinary watch," he said. "Certainly, it is not a very accurate one. In electronic measurements, we would say that its time function has small stability. A watch with rubies has greater stability, but only an electronic watch ensures the almost completely accurate measurement of an arbitrary small interval of time.

"This instrument" -- and here he pointed to an ordinary looking box -- "reconstructs and amplifies measurements with the accuracy of such a watch. More accurately, it enables us to register phenomena which take place in a trillionth of a second."

"That's interesting," I said, "but I was told beforehand that I should learn something about your last improvement which was reported to the Main Committee of Rationalization and Invention. Let us, then, discuss this main part . . . ."

"But we have been talking about it all the time. This is the prototype of the instrument which I have recently constructed."

Slightly taken aback, I started to rearrange my notes. At the top of a new card I wrote, saying aloud, "Magister ingynier . . . ."

"What is your name," I asked, as I had heard only part of it when we were introduced.

"Oh no, I am not yet an engineer," interrupted my guide. "I am only a technician! Strictly speaking, an electronic technician. My last name is Krzyzowski and my first name is Zbigniew."

Adapter and the Cannon

Apparently there is no difficulty with personal data.

However, how to explain the essence of improvement made here? An electronic amplifier is not a piece of equipment whose mode of operation may be explained in a few words. Here to my aid came the perfecter himself. Apparently he is not only a very good construction man but also an excellent popularizer.

Let us leave this amplifier alone for a moment and recall the mode of operation of an ordinary amplifier. Let us consider the intermediate steps between a phonograph record and a loudspeaker.

First of all, there is the pickup cartridge and needle, which transforms mechanical oscillations into very small electric impulses. These impulses are magnified by an amplifier, from which

they travel to the loudspeaker system, where they cause acoustic effects.

When I was taking this down, our photo-reporter, Iwan Stanislaus, who was disappointed by the ordinary-looking amplifier, was walking about the workshop looking for a more interesting object to photograph. I, on the other hand, was thinking about how to connect the adapter with a cannon or even a machine gun. My tireless guide sensed it.

"In many measurements, as in the case of a pickup, it is necessary to change mechanical oscillations into electric current impulses, for example, when we try to determine the pressure in a gun barrel during firing, in a shock absorber, and so on. It must be realized that these oscillations (let us call them that) are much larger than those which cause irregularities in a record groove. The measurement performed must be much more accurate. For example during firing, which takes an extremely short period of time, we are not only interested in the final maximum pressure but also in all pressures from firing to the time when the projectile leaves the barrel. In this short time, we have to carry out an infinitely large number of measurements. This, however, cannot be done by a manometer.

#### A Ray of Light on Film

"In this center we have a large number of accurate measurement instruments," continued comrade Krzyzowski. "It is to be understood that the more reliable the measurement, the more accurate the results. Therefore, it is an ever-present problem for us to perfect the instruments. Faced with this problem, also I tried my luck . . . ."

"And with success!" interposed Kpt. mgr. ing. Edward Ogrodowicz, who had been listening to our conversation.

"The amplifier of comrade Krzyzowski has a measurement range four times as large as the range of similar equipment produced by the best foreign companies. It is more accurate, cheaper, and easier to service. In addition, it possesses a very important feature for field measurements. It is resistant to shock and weather conditions."

"However, let us explain fully the method of taking measurements, said comrade Krzyzowski, coming back to the original theme of our conversation. The readers of "Soldier of Freedom" may find it interesting to know what methods are becoming popular now."

I report this briefly. If we wish to measure the gas pressure at the time of firing, we insert a special electronic sensor into a previously prepared recess in the barrel. Under the influence of thrust on the quartz plate (you may regard it as some sort of a piston in a car pressure gauge or, if you prefer, a needle in a pickup head), tensions are created on the surface of the plate

which result in an increase of the electric load. These are subsequently amplified in the amplifier and relayed to a loop recorder, which causes the deflection of a miniature mirror contained in it. The rest of the story is similar to the game played by children with mirrors and reflected sunlight. The variable light ray is recorded in a continuous curve on a film moving at a known speed.

The greater the pressure during the experiment, the tension on the quartz plate, the increase of the electric load, and the deflection of the mirror, pointing towards the film, the greater is the deflection of the curve on the film . . . .

Well, I sighed with relief at the end of that explanation. Then I heard an elated shout from the photo-reporter, who, grinning broadly from under the table, was pulling out a cross-section of the Katiusha warhead.

"Well, at long last, I have found something which is photogenic. Tell you what we do: Let's connect the amplifier gadget to this projectile" -- and here he gazed at us inquiringly -- "and we shall take one hell of a picture." "Nothing doing," I said, quenching his zeal. "The amplifier must be connected with leads. You can't run after the projectile with all this equipment. What has electronics to do with honey cakes," I tried to joke.

"As a matter of fact, it has plenty to do with it," interposed engineer Andrzej Pillich, who entered the workshop a moment ago. "Who said that we have to have leads? What about radiotelemetry?" . . . .

#### Informer in a Grenade

I was all ears. Radiotelemetry -- well, I knew the term. Of course, I remember reading, that through radiotelemetry -- this was in connection with the orbiting of Soviet sputniks -- one is able to obtain exact information about their performance in space. While thinking, I casually looked at the grenade and then at the engineer, who, as if to guess my thoughts, explained:

"Well, it's not strictly the same thing," he said. "There the range is in millions of kilometers. You must have super-smallness and strength, but the problems are related, I assure you." Here, the engineer showed me a saucer of relatively small dimensions. It was a radiotelemetric transmitter.

"Well, I did have a hunch! My intuition hasn't failed me," Iwan whispered into my ear, setting up his tripod.

The engineer, seeing his zeal, raised his hands with resignation and said: "Well, if you insist, take the picture."

"He is a fine one," I thought, heroically deciding to listen to another lecture. "It is the readers who want it, not me!"

## The Armorers Against Longines

However, this time there was no lecture. This hellish amplifier was even more involved: this unimposing apparatus mounted together with electronic sensors into the head of a rocket projectile such as Katiusha, transmits signals to the transmitter on the ground. This, after passing through a special filter and the above-mentioned amplifier, enables one to perform ballistic measurements over the whole flight path of the projectile.

A similar type of apparatus, about which we wrote recently, was discovered and patented by one of our engineers in the Wrocaw Generator Factory, and caused considerable interest at the International Measurement Conference (IMECO) in Budapest. Let us recall its properties. Its range was a few meters. The transmitter-receiver which was designed by the electronic armorers, that is, by comrades Pillich and Krzyzowski, enables one to conduct measurements at a distance of many kilometers. No comments are really necessary.

When I was leaving the center, it occurred to me that it was a pity that these armorers, as a sideline, do not produce electronic watches. They would indeed be better than the well-known Swiss watch Longines.

However, these army engineers and technicians, as I found out many times, are peculiar people: they work at night to solve a problem, and after they have solved it they work on another.

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## POLAND

### USE OF SMOKE SCREENS AS PROTECTIVE COVER

[Following is a translation of an article by Tadeusz Burakowski in Zolnierz Polski (The Polish Soldier), No 10, Warsaw, 5 March 1961, page 17.]

Already centuries ago, story-tellers and poets were writing about the magic caps which would make the wearer invisible. So far, such caps have not been invented. The efforts of learned alchemists to invent a miraculous potion which would make an object or a man invisible were in vain. Such a magic fluid would come in very handy in the army, not only to help one "evaporate" from in front of the corporal's eyes in a ticklish situation, but, above all to disappear from the sight of the enemy.

#### Why are we Camouflaging?

For many years now, single soldiers, smaller or larger sub-units, even larger groups, hide and camouflage themselves, skillfully employing forests, the profile of the terrain, bushes, ravines, etc. In addition to using the terrain, the weather (fog, snow flurry, rain), and the time of the day (dusk, night) is also made use of. This has the effect of decreasing the effectiveness of the enemy, not only because we are hiding from his fire, but because we are also making it impossible for him to observe us. We are forcing the enemy to search for us, we are making it difficult for him to discover what our intentions are and to reconnoiter our forces and equipment.

#### Smoke -- the new Ally.

Today we have many means of camouflage. Some of them have been employed before, with considerable success. Since World War I, the army has gained one more camouflaging weapon -- smoke. It is a powerful ally of the army, as may be inferred from the fact that the ways and means of smoke and fog manufacture which were invented and occasionally used towards the end of World War I, are today widely used and have been improved by all the armies of the world. These are the so-called smoke-generating means.

### Smoke Screens.

The smoke generating media are chemical compounds. The chemical compounds most often used are: sulfur trioxide, oleum (a solution of sulfur trioxide in sulfuric acid), chlorosulfonic acid, sulfuryl chloride, persulfuryl chloride, silicic tetrachloride, titanous tetrachloride, stannous tetrachloride, Berthollet salt, phosphorus, lubricating oil, anthracene mixtures, crude oil, and others.

Smoke generators create so-called smoke screens. According to tactical requirements, smoke screens should effectively camouflage one's own units against ground, water and air observation, and should also blind the enemy.

Smoke screens are made by employing suitable technical means, which are called "smoke-making equipment" (smoke generating installations, smoke candles, smoke grenades). Smoke ammunition (smoke projectiles and smoke bombs) is also used.

Smoke generating apparatus and smoke ammunition were widely used on the battlefields during World War II to camouflage one's own units and to blind the enemy. Recently, as nuclear weapons have been introduced into the complement of weapons, the possibility of using smoke screens as a defense against the visible radiation accompanying a nuclear explosion is being considered.

### The new Task.

Visible radiation, which accounts for about one third of the energy released in a nuclear explosion, is one of the harmful effects of a nuclear explosion. It may cause burns of the exposed parts of the skin and set fire to various materials at distances much greater than the range of action of the shock wave or penetrating radiation. As the strength of the nuclear bomb increases, the effective range of light radiation (ultraviolet, visible and infrared radiation) increases faster than the increase of the effective range of the shock wave, and the problem of defense against this visible radiation becomes more important.

During experimental nuclear explosions it was found that the dust or fog or falling rain or snow the air contains the more visible radiation is absorbed by it. If a bomb whose TNT equivalent is 20,000 tons is exploded and if the day is sunny, personnel which has not taken cover may suffer second degree burns at a distance of about 2,000 meters from the point of explosion, whereas if the day is foggy that distance is reduced to 700 meters.

Based on this experience, artificial smoke and fog, began to be used as a defense against visible radiation. The best results were obtained with the common thick smoke which is produced when liquid or solid fuels are burned (e.g. coal). Such a smoke screen, some tens of meters high and having the same density as

a thick fog, may reduce the effective range of visible radiation by a factor of two or three.

For defense against visible radiation, smoke generating equipment of various types may be used. As the attenuation of visible radiation depends mainly on the density of the smoke screen and the path of the radiation with respect to it, for effectively reducing the effects of visible radiation, smoke which is one and a half to two times as dense as the smoke used for ordinary camouflaging purposes is adequate.

Thus, because of its properties, smokes has advanced to the rank of an effective defensive measure, used by both the army and by the Area Anti-Aircraft Defense (TOPL) for protecting the population inhabiting areas of strategic importance away from the front.

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